

## Chapter 7 Content

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## Comments and Coordination

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process to determine the scope of environmental documentation, the level of analysis, potential impacts, proposed mitigation measures, and related environmental requirements. Agency consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including: public and agency scoping meetings, CAC and PDT meetings, public open houses, a project website, online surveys, newsletters, media releases, focus group meetings and the public hearing held following publication of the DEIS. This chapter summarizes the results of efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

### 7.1 SAFETEA-LU Section 6002 Coordination

The coordination plan required from Section 6002 of the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) is included as Appendix L.

#### 7.1.1 Cooperating and Participating Agency Status

The Notice of Intent was published in the Federal Register on November 3, 2005. On September 18, 2007, FHWA extended cooperating and participating agency invitations. Table 7-1 is the list of lead, cooperating and participating agencies for the OR 62 project, their roles and responsibilities.

Cooperating agency invitations were sent to USFWS, US Department of Veterans Affairs, the US Army Corps of Engineers (Corps), and National Marine Fisheries Service. The USFWS, US Department of Veterans Affairs, and Corps accepted invitations to be cooperating agencies. Participating agency invitations were sent to the City of Medford, Confederated Tribes of the Grand Ronde, the Confederated Tribes of the Siletz, the Oregon Department of Land Conservation and Development, Oregon Department of State Lands, US Environmental Protection Agency, Federal Aviation Administration (FAA), Federal Emergency Management Agency (FEMA), Jackson County, Jackson County Fire District 3, Oregon Department of Environmental Quality (DEQ), Oregon Department of Fish and Wildlife (ODFW), Oregon Department of Parks and Recreation, and Oregon State Historic Preservation Office. FEMA, ODFW, DEQ, FAA, and Jackson County Fire District 3 accepted invitations to be participating agencies. FHWA and ODOT consulted with FAA to determine whether to consider FAA a participating or cooperating agency; it was FAA's decision to be a participating agency. Oregon SHPO responded to the participating agency invitation but did not accept participating agency status.

**Table 7-1 Agency Roles and Responsibilities**

Agency Name	Role	Other Project Role(s)	Responsibilities
<b>Lead Agencies</b>			
Federal Highway Administration	Lead Agency	CETAS PDT	<ul style="list-style-type: none"> <li>• Manage 6002 process</li> <li>• Provide opportunity for public involvement</li> <li>• Provide oversight of NEPA process and compliance</li> <li>• Make Section 106 and Section 4(f) decisions.</li> <li>• Make NEPA decisions</li> </ul>
Oregon Department of Transportation	Co-Lead Agency	CETAS PDT CAC	<ul style="list-style-type: none"> <li>• Manage 6002 process in cooperation with FHWA</li> <li>• Prepare EIS</li> <li>• Prepare and review project plans and specifications</li> <li>• Provide opportunity for cooperating and participating agency involvement</li> <li>• Prepare documentation for environmental compliance (e.g. ESA, Section 404, Section 106, Section 4(f), Section 6(f), etc.)</li> </ul>
<b>Cooperating Agencies</b>			
US Fish and Wildlife Services	Cooperating Agency	CETAS	<ul style="list-style-type: none"> <li>• ESA jurisdiction</li> <li>• Provide comments on listed species and wildlife impacts</li> <li>• Review Biological Assessment and complete Biological Opinion</li> <li>• Comment on Section 404 permit application</li> </ul>
US Department of Veterans Affairs	Cooperating Agency	Not Applicable	<ul style="list-style-type: none"> <li>• Consultation on project</li> <li>• Potential federal land transfer</li> <li>• <b>A federal land transfer will not be necessary</b></li> </ul>
US Army Corps of Engineers	Cooperating Agency	CETAS	<ul style="list-style-type: none"> <li>• Section 404 permit</li> </ul>
<b>Participating Agencies</b>			
Federal Emergency Management Agency	Participating Agency	Not Applicable	<ul style="list-style-type: none"> <li>• Review for floodplain and floodway impacts</li> </ul>
Oregon Department of Fish and Wildlife	Participating Agency	CETAS	<ul style="list-style-type: none"> <li>• Comment to DSL and Corps on fill removal permits</li> <li>• Comment to USFWS, NMFS on Biological Opinions</li> <li>• Determine state fish passage requirements</li> </ul>
Oregon Department of Environmental Quality	Participating Agency	CETAS	<ul style="list-style-type: none"> <li>• Responsible for air quality</li> <li>• Monitor hazardous materials</li> <li>• Grants NPDES permits</li> <li>• Approve conceptual storm water mitigation plan</li> </ul>
Federal Aviation Administration	Participating Agency	Not Applicable	<ul style="list-style-type: none"> <li>• Ensure compliance with FAA NEPA and airport restrictions</li> <li>• Form 7460-1 Notice of Proposed Construction or Alteration</li> <li>• Land Transfer</li> <li>• Approval of construction equipment in the Runway Protection Zone</li> </ul>
Jackson County Fire District 3	Participating Agency	Not Applicable	<ul style="list-style-type: none"> <li>• Review for potential response time delays</li> <li>• Review design/access issues for emergency vehicle access</li> </ul>

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## 7.1.2. Summary of SAFETEA-LU 6002 Coordination Points

On August 3, 2012, ODOT mailed to cooperating agencies a request for comment on the project's Purpose and Need Statement, range of the alternatives, and analysis methodologies. Comments were requested via email by August 17, 2012. The request was mailed to FHWA, ODOT, USFW, US Department of Veterans Affairs, the US Army Corps of Engineers, FEMA, ODFW, DEQ, FAA, and Jackson County Fire District 3.

The US Department of Veterans Affairs responded to this request, but had no comments on the materials sent.

## 7.2 Consultation and Coordination with Other Public Agencies

ODOT has consulted and coordinated with other public agencies that are not the project's cooperating and participating agencies. These interactions have taken place as needed to coordinate compliance with required permits and approvals.

### 7.2.1 Consultations with CETAS Members

CETAS consists of most of the primary state and federal permitting and regulatory agencies. CETAS includes the following organizations:

- **Federal:** Federal Highway Administration, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and National Marine Fisheries Service.
- **State:** Oregon Department of Fish and Wildlife, Oregon State Historic Preservation Office, Oregon Department of Environmental Quality, Oregon Department of State Lands, Oregon Department of Land Conservation and Development, and Oregon Department of Transportation.

CETAS is scheduled to meet quarterly and serves as a working group of federal and state resource agencies that provide regulatory guidance and concurrence during major transportation project development. For ODOT projects, CETAS provides concurrence on four project milestones: Purpose and Need, Range of Alternatives, Evaluation Criteria, and the Preferred Alternative. ODOT received concurrence from CETAS on the first three milestones in August 2010.

CETAS provided concurrence on the Preferred Alternative in April, 2013.

At key points during the project development, ODOT staff presented project information to CETAS representatives. Following is a summary of those meetings.

- **March 2005:** The project's first presentation to CETAS occurred in March 2005. ODOT staff presented the draft Purpose and Need, draft Goals and Objectives, and a general project overview, including potential alternatives, known cultural and natural resources in the area, compatibility with applicable plans, and potential impacts. CETAS members were satisfied with the information presented and expressed general agreement with the materials presented. Since some members were familiar with the project and others were not it was suggested that a field visit to tour the project would be appropriate. A field visit was scheduled for July 2005.
- **July 2005:** CETAS representatives and ODOT staff toured various Region 3 project sites in July 2005, including the OR 62: I-5 to Dutton Road Project. The focus of the tour was on natural resources. They viewed the general alignment of the proposed bypass, traveled OR 62, and walked the area near the intersection of Dutton Road and OR 62. USFW staff stressed the need to first avoid vernal pools impacts if possible, if not, impacts needed to be minimized and mitigated. There seemed to be some consensus that the vernal pools located near the North Terminus at Dutton Road were degraded by past activities. However it was stressed that vernal pools should be considered a design constraint. During the field trip they discussed potential mitigation strategies.

- **February 2006:** ODOT presented draft evaluation criteria to CETAS in February 2006. CETAS had few questions regarding the Evaluation Criteria, after a short discussion regarding some of the measures they seemed to be satisfied with the staff responses.
- **February 2007:** ODOT presented the draft range of alternatives to CETAS in February 2007. At that time, the range did not include Design Options B or C. CETAS members requested that ODOT develop a bypass alignment that would reduce impacts on vernal pools. In response, ODOT created Design Option B, which could reduce adverse impacts to vernal pools and minimize impacts to wetlands. However, as a trade-off, Design Option B could have higher business displacement impacts.
- **April 2008:** ODOT presented a project update to CETAS. Several items were presented. Preliminary findings regarding subsurface hydrology and potential hydrological connections between vernal pools and the effects on these connections from previous manmade obstructions (i.e. railroad alignments, roads and ditches) on hydrological connections were presented. Members directed ODOT to evaluate areas free of manmade obstructions and use a 250 ft. buffer to assess impacts to vernal pools. In areas where previous manmade obstructions were present the buffer would begin at the obstruction. CETAS recommended that this information be used in assessing impacts to vernal pools. ODOT also presented its findings on the recently completed wildflower studies. Woolly meadowfoam was found near the North Terminus and Desert lomatium was not found. The locations of the plants were mapped using GPS. ODOT described an alternative north terminus option, which is intended to reduce any potential land impacts to the VA Domiciliary which had previously expressed concerns about further right of way encroachment on their property. ODOT confirmed that this new north terminus option could further increase vernal pool impacts. Some members expressed concern about the potential impacts, but it was decided that they would reserve comments until after the DEIS was published.
- **August 2010:** ODOT presented revised Goals Objectives, Evaluation Criteria and Measures that were based on recent project revisions. CETAS members presented several suggestions for refining these. It was suggested that the stand alone Planning Goal should be incorporated into other Goals. They also suggested refinements to several measures that would provide the regulatory agencies with better information. These suggestions were incorporated into the presented information and circulated to members within two weeks. Members were satisfied with the revisions.
- **April 2013:** ODOT presented the Preferred Alternative and the design changes that have occurred since the publication of the DEIS. ODOT also presented its plans to incorporate the ROD into the FEIS. EPA expressed concern with the joint FEIS and ROD stating that EPA always provides comments on the FEIS. To alleviate this concern, FHWA provided EPA the opportunity to review draft responses to the comments EPA provided on the DEIS. CETAS concurred with ODOT's selection of the Preferred Alternative in April 2013.

## 7.2.2 Additional Agency Coordination

Table 7-2 summarizes coordination that has occurred outside the CETAS process with CETAS members and non-members. Table 7-3 lists instances of coordination with agencies regarding ESA issues.

## 7.3 Project Development Team and Citizens Advisory Committee

Throughout project development, the PDT and CAC met regularly to review the project and make recommendations.

The PDT members were selected to represent government stakeholders as well as public interests. Table 7-4 lists current PDT members. The PDT included representatives from ODOT, the City of Medford, Jackson County, the RVMPO, Jackson County/Medford Chamber of Commerce, the freight and trucking industry, FHWA, the CAC, one citizens-at-large.



**Table 7-2 Consultations with Agencies That Are Not Cooperating or Participating Agencies**

Agency Name	Coordination Topic
National Marine Fisheries Service	ESA
City of Medford	Traffic, Section 4(f)
Oregon Department of State Lands	404 Permit
Oregon State Historic Preservation Office	Section 106, Section 4(f)
Oregon Parks and Recreation Department	Section 6(f)
Confederated Tribes of Grand Ronde	General project information has been provided
Confederated Tribes of Siletz	General project information has been provided
Oregon Department of Land Conservation and Development	Statewide Planning Goal Exception
Jackson County	Statewide Planning Goal Exception

**Table 7-3 ESA Consultation and Related Activities**

Date	Description	Agencies
October 4, 2004	Agency scoping meeting for proposed project and site visit	ODOT FHWA Corps USFWS ODFW DSL
October 6, 2010	Pre-consultation meeting to discuss project vernal pool impacts, BA format, assessment methodology. First direction about forthcoming Programmatic Biological Opinion (PBO) from USFWS. The PBO was concerned about vernal pool fairy shrimp ( <i>Branchinecta lynchi</i> (fairy shrimp or VPFS)); Cook's Lomatium ( <i>Lomatium cookii</i> (Lomatium)); and large-flowered woolly meadowfoam ( <i>Limnanthes floccosa</i> ssp. <i>grandiflora</i> ) (meadowfoam)). Collectively, these species are referred to as the listed vernal pool species. The PBO is targeted for the vernal pool complexes of Jackson County, Oregon.	ODOT USFWS
December 21, 2010	Aquatic Resources BA submitted to NMFS from FHWA	ODOT FHWA NMFS
January 25, 2011	USFWS issued Jackson County PBO for Vernal Pool Conservation Strategy (FWS Reference Number 13420-2011-F-0064) as described in October 6, 2010 entry above.	USFWS ODFW
December 22, 2011	Terrestrial BA submitted to USFWS from FHWA	ODOT FHWA USFWS
December 13-14, 2011	Pre-application meeting at ODOT Region 3 Tech Center for the JTA Phase of the OR 62: I-5 to Dutton Road Project and the Fern Valley Interchange Project.	ODOT ODFW USFWS Corps DSL
March 20, 2013	Biological Opinion received from NMFS	ODOT FHWA NMFS
March 26, 2013	Biological Opinion received from USFWS	ODOT FHWA USFWS

**Table 7-4 PDT Members**

<b>Name</b>	<b>Representing</b>
Chris Bucher	FHWA (non-voting member)
Al Densmore	City of Medford
Brian Dunn	ODOT Transportation Planning and Analysis Unit
David Elliot	Citizens at Large
Mark Gibson	Freight/Trucking
Vicki Guarino	RVCOG/RVMPO
Anna Henson	ODOT
Dale Lininger	Medford Chamber
Suzanne Myers	City of Medford
Mike Quilty	RVMPO
Paige Townsend	Rogue Valley Transportation District
John Vial	Jackson County
Brian Sheadel	ODOT
Dick Lever	ODOT (non-voting member)
Debbie Timms	ODOT (non-voting member)

The FHWA representative, the CAC representative, and some ODOT representatives are not voting members.

During the alternatives analysis process, PDT meetings were held nearly every month, typically the day after the CAC meeting was held. The PDT met 25 times; three of these meetings were held jointly with the CAC.

The CAC is comprised of representatives of neighborhoods, businesses, and community interests. Table 7-5 lists current CAC members. The CAC serves as a communication link to the public, informing the PDT about public interests as well as informing the broader public about the project. At critical decision-making points, the CAC was presented with staff findings and public comments. The CAC provided recommendations during regular CAC meetings. The first CAC meeting was held in August 2004; the CAC met 25 times during the project development process. These meetings were typically held each month on the evening before the PDT meeting; three meetings were held jointly with the PDT. All CAC meetings were open to the public and meeting announcements were sent to everyone on the Interested Parties List. A public comment period was included during each meeting.

The Interested Parties List was developed from the following sources:

- responses to the CAC bulk mailing recruitment letter;
- responses to newspaper articles;
- responses to advertisements regarding the project;
- all attendees at meetings and/or open houses on the project who signed in;
- persons who telephoned either ODOT or RVCOG with a request to be put on the Interested Parties List; and
- all owners of land that would be acquired for any of the alternatives or options.

After each mailing to the Interested Parties List, the list was updated to reflect returns and changed addresses.

**Table 7-5 CAC Members**

Name	Representing	City
Bill Blair	Citizens-at-large/agriculture (retired)	Central Point
Becky Brooks	Citizens-at-large/Siskiyou Velo	Medford
Curt Burrill	Citizens-at-large/land development	Medford
David Christian	Citizens-at-large/social work (retired) VA SORCC	White City
Mike Gardiner	Citizens-at-large/freight	Ashland
Mike Malepsy	Citizens-at-large/land development	Shady Cove
Mike Montero	Citizens-at-large/land development	Medford
Bob Plankenhorn	Citizens-at-large/logging	White City
Don Riegger	Citizens-at-large/Human Services Manager (retired)	Medford
Wade Six	Citizens-at-large/real estate	Ashland
Nanci Watkins	Citizens-at-large/small business	Eagle Point

## 7.4 Project Subcommittees

At various stages of the project development, ODOT formed subcommittees to address specific issues in greater depth than what could have been achieved during CAC or PDT meetings. The subcommittees developed recommendations which they then presented to the CAC and PDT. ODOT invited any interested CAC and PDT members to join the subcommittees, and where appropriate, ODOT also invited government stakeholders and local advocates to join a subcommittee. Following are descriptions of the project subcommittees.

### 7.4.1 Land Use Subcommittee

The Land Use Subcommittee met seven times between March and June 2006 to discuss potential alternatives that would reduce land use impacts and evaluate the feasibility of alternatives that would not require a Statewide Planning Goal exception. Table 7-6 is a list of the Land Use Subcommittee members.

**Table 7-6 Land Use Subcommittee**

Name	Representing
Jerry Marmon	ODOT
John Renz	DLCD
Becky Brooks	Citizens-at-large/Siskiyou Velo
Curt Burrill	Citizens-at-large/land development
David Elliott	Citizens-at-large
Dan Moore	RVCOG
Kelly Madding	Jackson County
Mike Malepsy	Citizens-at-large/land development
Mike Montero	Citizens-at-large/land development
Suzanne Myers	City of Medford
Nanci Watkins	Citizens-at-large/Small Business Owner

## 7.4.2 Access Management Subcommittee

The Access Management Subcommittee met four times between May and July 2006 to discuss access management strategies for the alternatives that were under consideration at the time (the Plain Bypass, Bypass with a Split Diamond Interchange, Existing Highway Build, and Texas Turnaround). They developed recommendations for access control in different areas of the project vicinity, and did not address parcel-specific access issues. Table 7-7 lists members of the Access Management Subcommittee.

**Table 7-7 Access Management Subcommittee**

Name	Representing
Ron Hughes	ODOT
Curt Burrill	Citizens-at-large/land development
David Christian	Citizens-at-large
Alex Georgevitch	City of Medford
Mike Montero	Citizens-at-large/land development
Don Riegger	Citizens-at-large/Human Services Manager (retired)
Nanci Watkins	Citizens-at-large/small business

## 7.4.3 Multimodal Subcommittee

The Multimodal Subcommittee, also referred to as the Bike, Pedestrian, and Transit Subcommittee, met six times between February and November 2006 to develop multimodal strategies for the project and to evaluate the four alternatives that were under consideration at the time (the Plain Bypass, Bypass with a Split Diamond Interchange, Existing Highway Build, and Texas Turnaround) in terms of the alternatives' impacts to transit and non-motorized transportation. Table 7-8 lists members of the Multimodal Subcommittee.

**Table 7-8 Multimodal Subcommittee**

Name	Representing
Debbie Timms	ODOT
Craig Anderson	RVTD
Alex Georgevitch	City of Medford
Mike Gardiner	Citizens-at-large/freight
Don Riegger	Citizens-at-large/Human Services Manager (retired)
Robert Seibert	Citizens-at-large/transit user
Paige Townsend	RVTD

## 7.4.4 Transit Subcommittee

The Transit Subcommittee was formed following the formation of the multimodal subcommittee, to assist in the Transit Study, a more detailed study of potential transit-related improvements to the OR 62 corridor area. The Transit Subcommittee met four times between June and November 2011. The transit study also included a public open house held on July 13, 2011. The Transit Study was completed in June 2012 and the subcommittee's recommendations are included as Appendix M. Table 7-9 lists members of the Transit Subcommittee.

**Table 7-9 Transit Subcommittee**

Name	Representing
Al Densmore	City of Medford
Dick Leever	ODOT
Don Riegger	Citizens-at-large/Human Services Manager (retired)
Jenna Stanke	City of Medford Parks
Julie Brown	RVTD
Mike Kuntz	Jackson County
Paige Townsend	RVTD
Richard Arnold	ODOT Transportation Planning Analysis Unit
Vicki Guarino	RVCOG
Wade Six	Citizens-at-large/real estate

## 7.5 Public Involvement

ODOT has used and will continue to use many methods to share information with and gather input from the public. Those methods include: public meetings, the project website at [http://www.oregon.gov/ODOT/HWY/REGION3/hwy62\\_index.shtml](http://www.oregon.gov/ODOT/HWY/REGION3/hwy62_index.shtml), newsletters, newspaper inserts, Rogue Valley TV, focus group meetings, surveys, and project committees.

### 7.5.1 Public Scoping and Open House Meetings

Throughout the project, ODOT representatives have been available to meet with members of the public and to answer questions. Many people and business representatives have contacted ODOT either in person, by phone, via email, or in writing requesting information. ODOT representatives have responded to those requests with information, maps, and other materials as appropriate. Whenever possible, the interested party has been added to the project mailing list to ensure that they received future project updates and information. At key points during the project development, ODOT held open house meetings to inform the public and obtain public comment.

An Agency Scoping meeting was held on October 4, 2004 from 1:30 PM to 3:30 PM, at the Jackson County Public Works Auditorium, Mosquito Lane, White City Oregon. The meeting was attended by seven individuals representing USFW, DLCD, USCOE, and ODSL. Feedback that was provided included the need to avoid or minimize impacts to Vernal Pools and other wetland areas. There was some discussion about stream crossings and the potential for riparian habitat restoration or enhancement along some the degraded streams (Lower Whetstone Creek, Lone Pine Creek, and Swanson Creek) within the project area. Agency representatives were told that these issues would be taken into consideration as the project develops. A field visit to the vernal pools located in the southern portions of the project area was provided for those agencies that were interested.

The Public Scoping meeting was held on October 4, 2004, from 5:30 to 7:30 PM at the Family Resource Center in White City. The meeting format was an open house style set up as a self-guided tour of stations addressing various aspects of the project. Members of the public were greeted at the door as they entered, asked to sign in, and given a feedback form to fill out. Seventeen people signed in. Each received a brief orientation on how the tour worked and then was directed to the first station.

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White City has a Spanish speaking population that is larger than the County average, so, to facilitate the sharing of project information, a Spanish language translator was present during the duration of the whole meeting. The services of the translator were utilized by a small number of attendees.

Information provided at this meeting included the following materials:

- Copies of aerial photographs of the corridor;
- A summary of the known transportation problems in the corridor;
- Presentation boards detailing known environmental constraints in the corridor;
- Xerox copies of the presentation boards;
- Ability to provide suggestions for the range of alternatives; and
- Ability to provide written, mailed and oral comments.

There were two primary concerns expressed at this meeting. The first concern was a solution needed to be provided that did not further divide White City. The second concern was a general consensus that some solution was needed for the corridor's worsening mobility issues and that the project's northern terminus should extend north of White City. The information gathered at these meetings was incorporated into the design alternatives developed for consideration in the DEIS.

By September 2006, the project team had preliminarily narrowed a very wide range of alternatives to four: the "Plain Bypass" (Option 1B interchange at the southern end, with a generalized bypass alignment to the north), bypass with a split diamond interchange (Option 1A interchange at the southern end, with a generalized bypass alignment to the north), the Texas Turnaround, and widening the existing highway corridor. A set of open houses were held to inform the public about the alternatives analysis process and to gain feedback from the public about the alternatives still under consideration.

In order to facilitate public attendance, one open house was held on September 18, 2006 at the Winema Girl Scout Auditorium in Medford and a second was held the following day at the Family Resource Center in White City. Meeting notices advertised the date and locations of both meetings. Forty-eight members of the public signed in at the two meetings, several additional attendees declined to sign in, and 12 people filled out comment sheets. Comments were also received later by mail or email.

Information provided at this meeting included the following materials:

- Copies of proposed corridor alignments;
- A copy of the Draft Purpose and Need Statement;
- A copy of the Project Goals, Objectives, and Evaluation and Measurement Criteria;
- Xerox copies of the presentation; and
- Ability to provide written and oral comments on the alternatives that were presented.

The primary concerns expressed at this meeting were over the proposed Texas Turnaround Alternative and the Existing Highway Build alternative. Of the opinions presented they were almost unanimous in their opposition to these two alternatives. Of the forty three comments submitted 42 supported the DI and SD Alternatives and opposed the Existing Highway and Texas Turnaround alternatives. One commenter expressed support of the Texas Turnaround alternative. The public concerns were taken into consideration and were reflected in the alternatives developed for consideration for the DEIS.



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## 7.5.2 Targeted Outreach to Specific Groups

During the project development, ODOT held meetings with specific groups as described below.

A meeting with White City business owners was held on January 18, 2006, at the ODOT facility in White City. Twenty people were mailed a meeting notice and were also contacted by telephone. The purpose of this meeting was to update White City business representatives on project development, to discuss the proposed alignments in the White City area, and to receive feedback from the attendees. Ten people attended the meeting. At the meeting, ODOT staff gave a presentation on the project background, development, and current status. Following the presentation was an open discussion. During the discussion, a number of attendees expressed concern about Avenue G; these comments included requests for better connectivity for Avenue G to facilitate freight movement as well as emergency vehicle access. There was also a suggestion for modifying the design of the proposed interchange that would provide access to OR 140. The design of the OR 140 Directional Interchange connection to OR 62 was adjusted slightly to the south to facilitate east and west bound traffic to OR 140.

On April 19, 2006, two meetings were held to focus on the Southern Terminus. The first meeting concentrated on the Bullock Road/Poplar Drive area and the second meeting was for the area along OR 62 from Poplar Drive to Delta Waters Road. These meetings were held at the ODOT facility in White City. One hundred fifteen letters were mailed to area businesses. While both meetings covered the project in general, the first meeting focused on impacts on businesses in the Bullock Road and Poplar Road area; this meeting was attended by nine business representatives. The second meeting focused on impacts on businesses from Poplar Drive to Delta Waters Road; this was attended by three business representatives.

Information provided at this meeting included the following materials:

- Copies of proposed corridor alignments;
- A copy of the Draft Purpose and Need Statement;
- A copy of the Project Goals, Objectives, Evaluation and Measurement Criteria;
- Xerox copies of the presentation; and
- Ability to provide written and oral comments on the alternatives that were presented.

The primary concerns expressed at this meeting were over the access management controls that would be implemented as part of the DI Alternative and how the businesses would adjust to the use of frontage and backage roads. Considerable concern was expressed over the effects of grade separating the Popular and Bullock Drives under the proposed DI Alternative. Businesses along Poplar and Bullock Drives felt that this alternative would deprive them of many current customers. The public concerns were acknowledged and the DEIS commenting process was explained.

A third meeting to discuss the Southern Terminus with representatives from businesses in the south terminus area was held on June 29, 2006. The purpose of this meeting was to inform the business representatives about the project development, including proposed access management plans for each of the alternatives still under consideration (the bypass, the Texas Turnaround, and widening the existing highway), and to gain feedback. One hundred fifteen letters were sent and follow-up invitations were hand-delivered to businesses along OR 62 to ensure that all businesses were informed of the meeting. Nineteen people attended; they included business owners, property owners, and other interested parties. The materials provided at the April 19, 2006, meeting were provided at this meeting as well. The same concerns raised during the April 19, 2006, meeting were also raised during the June 29, 2006, meeting. The concerns were acknowledged and the DEIS commenting process was explained.

On December 21, 2006, a meeting was held in White City to discuss the project and receive feedback from business owners in the White City area. The meeting

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focused on proposed alignments for the northern terminus (the segment from Gregory Road north) and the access implications of those alignments. Nineteen letters were mailed to businesses along Agate Road and all parties were also contacted by telephone. Fourteen people attended the meeting.

Information provided at this meeting included the following materials:

- maps of proposed corridor alignments and North Terminus Options;
- a copy of the Draft Purpose and Need Statement;
- a copy of the Project Goals, Objectives, Evaluation and Measurement Criteria;
- photocopies of the presentation; and
- a description of how to provide written and oral comments on the alternatives that were presented.

The primary concerns expressed at this meeting were about how the North Terminus Options would affect White City. Those attending were primarily quite supportive of the proposed North Terminus Options.

A meeting held on May 16, 2007, at the Jackson County Public Works Auditorium in White City which targeted business and property owners in the vicinity of Vilas Road. One hundred forty-six letters were mailed, and 52 people attended this meeting. The purpose of the meeting was to inform people about the project, to discuss the Vilas Road interchange design, and to obtain feedback. At the time, the Vilas Road interchange had not been fully designed, and ODOT engineers were interested in public opinions about potential designs and impacts. The meeting format was similar to the previous public meetings, with an informal presentation followed by an open discussion.

Information provided at this meeting included the following materials:

- maps of proposed corridor alignments and potential solutions for the Vilas Road Interchange;
- a copy of the Draft Purpose and Need Statement;
- a copy of the Project Goals, Objectives, Evaluation and Measurement Criteria;
- photocopies of the presentation; and
- a description of how to provide written and oral comments on the alternatives that were presented.

The primary concerns expressed at this meeting were over the access management controls that would be implemented as part of the build alternatives on Vilas Road. There was strong public support for the Single Point Urban Interchange (SPUI) as it provided the smallest project footprint while meeting the operational needs of the interchange. The public concerns were acknowledged and incorporated to the extent possible into the designs developed for consideration in the DEIS. The DEIS commenting process was also explained to the public.

A meeting with residents of the Justice Road and Peace Lane area was held a half-hour after the Vilas Road business/property owners meeting on May 16, 2007. Forty-one letters were mailed for this meeting, and twenty-two people attended. The purpose of the meeting was to inform people about the project, to discuss the Vilas Road interchange design, and to obtain feedback. This meeting was targeted at residents instead of businesses.

Information provided at this meeting included the following materials:

- proposed corridor alignments and detailed engineering diagrams of the area around Justice and Gregory Roads;
- the Draft Purpose and Need Statement;
- the Project Goals, Objectives, Evaluation and Measurement Criteria;
- photocopies of the presentation; and
- a description of how to provide written and oral comments on the alternatives that were presented.

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Some of the issues raised at this meeting included the desire to retain a rural character for the area, concern about drainage and flooding, questions about right-of-way acquisition, potential noise impacts, and access to property. Some suggestions were made about Justice Road, and ODOT was able to incorporate public comments into the eventual design by removing the grade separation being considered at Justice Road, providing alternative access for the residents on Gregory Road. The individual raising the flooding and drainage question was informed of the project's requirement to show no net rise in the floodway.

### 7.5.3 Outreach to Environmental Justice Populations

Section 3.4.2.3 describes the location of EJ populations potentially impacted by the project and Section 3.4.2.4 states FHWA's policy regarding outreach to EJ populations. As Section 3.4.2.4 states, the following are elements of the project's overall public involvement program that meet FHWA's EJ policy on public outreach:

- To recruit representatives of EJ populations to the project's Citizen Advisory Committee (CAC), ODOT sent invitation letters to all 70 occupants of three apartment buildings in White City because of the high probability that residents included EJ populations.
- Three members of the CAC were knowledgeable of the needs of EJ populations. One member was a retired manager with Jackson County Social Services; one was a retired social worker for the VA SORCC; and Jason Elzy, Director of Development for the Jackson County Housing Authority, joined the CAC as a voting member.
- Public notice of the October 4, 2004, public scoping meeting and September 18 and 19, 2006, open houses was published in the *Mail Tribune* in both English and Spanish.
- Spanish language interpreters were available at the project's October 4, 2004, public scoping meeting and September 18 and 19, 2006, open houses.

**A Spanish translator was available at the combined DEIS public hearing and open house on October 17, 2012.**

- The October 4, 2004, public scoping meeting and September 19, 2006, open house were held at the Family Resource Center in White City because White City has relatively high percentages of minority and low-income residents, which the Family Resource Center serves.
- In summer 2011, ODOT purchased an advertisement announcing open houses regarding possible transit components of the project in the local Hispanic newspaper *Compra & Vende* and the newspaper published ODOT's news release regarding the meetings.
- ODOT published notice of the DEIS in local media in both English and Spanish. This included a notice in the local Hispanic newspaper *Compra & Vende*, which was also sent a news release announcing publication of the DEIS and combined public hearing and open house.
- Notice of publication of the DEIS and the combined public hearing and open house was made through announcements posted at public centers and businesses that tend to be visited by people from EJ populations, such as local markets (including ethnic markets), the VA Hospital, churches, community centers, and community rooms at low-income apartment complexes. Local social service providers also received notice of publication of the DEIS and the combined public hearing and open house.
- The executive summary of this EIS has been translated into Spanish. Translation of additional project documents will be made available, upon request.

**The executive summary of this EIS was not translated into Spanish.**

- A Spanish translator was available at the project's combined DEIS public hearing and open house.

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A Spanish translator was available at the combined DEIS public hearing and open house October 17, 2012; one person requested and was provided Spanish translation services. Because of the absence of requests for project documents in Spanish, a Spanish translation of the executive summary of neither the DEIS nor the FEIS was prepared. No Spanish translations of project documents were requested. One CAC member is a minority.

- ODOT will anonymously survey the CAC members and attendees of the DEIS public hearing and open house to gather demographic data related to EJ populations. Responding to the survey will be voluntary.

ODOT did not survey the CAC members or attendees of the DEIS public hearing and open house to gather demographic data. Surveying the CAC members was not necessary because it was known that one member was a minority and none were low-income. Surveying attendees of the DEIS public hearing and open house was not necessary to draw the conclusion that attendance by minorities and low-income persons was very limited.

- After a preferred alternative is selected, ODOT will identify residences and businesses that could be displaced by the project. ODOT will conduct interviews of the residents and business owners and use the results of the interviews to refine the project's outreach to EJ populations.

To date, ODOT has not conducted interviews of displaced residents or businesses because right-of-way negotiations will not occur until after the FEIS is published, both for the Preferred Alternative and the JTA phase.

None of the testimony on the DEIS offered at the combined public hearing and open house or submitted in writing specifically addressed EJ issues.

## 7.5.4 Media

The project was publicized in press releases to all local media and through ads and articles in the *Mail Tribune* newspaper. Information on the project and alternatives being developed was also provided on ODOT's TV cable program, "Moving Ahead with ODOT," and the ODOT Moving Ahead newspaper insert. ODOT's Moving Ahead newspaper insert is in its 12th year of circulation and is a partnership with the *Mail Tribune* and *Ashland Daily Tidings*. When the newspaper insert is published, it is inserted directly into the daily newspapers reaching about 37,000 circulation. About 200 more copies are direct mailed to transportation stakeholders in Jackson and Josephine Counties. In the early to mid-part of the last decade, the frequency was six times per year due to the large number of construction projects in Jackson and Josephine Counties, such as the North and South Medford Interchange projects. Currently ODOT's Moving Ahead newspaper insert is published four times per year. There have been 22 instances of coverage of the project in ODOT's Moving Ahead newspaper insert or cable TV program, as listed below.

1. October 3, 2003, newspaper insert statement that project under development
2. September 3, 2004, cable TV program story on project
3. October 15, 2004, newspaper insert feature on CAC and the scoping open house
4. December 10, 2004, newspaper insert report on project goals
5. March 11, 2005, large newspaper insert providing maps on which readers were asked to draw and submit alternative routes
6. April 29, 2005, newspaper insert report that work on project continuing
7. March 17, 2006, newspaper insert mention of project in "News Briefs"
8. April 28, 2006, newspaper insert mention of project in "News Briefs"
9. June 2, 2006, newspaper insert mention of project in "News Briefs"
10. September 8, 2006, newspaper insert feature on upcoming project open house

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11. October 27, 2006, newspaper insert report that project open house participants favored SD Alternative
  12. December 8, 2006, newspaper insert report that alternatives narrowed
  13. February 23, 2007, newspaper insert report that alternatives narrowed
  14. August 17, 2007, newspaper insert report that included graphic of SD Alternative
  15. November 30, 2007, newspaper insert report that DEIS expected in 2008
  16. June 2009, newspaper insert report that project to receive \$100 million in Jobs and Transportation Act funding
  17. September 2009, newspaper insert report that 2013 set as construction target
  18. November 2009, newspaper insert report that Jobs and Transportation Act directed \$100 million to project
  19. April 2010 newspaper insert report, with graphic that Oregon 62 project moving forward
  20. June 11, 2010, newspaper insert report describing project's multimodal features
  21. June 3, 2011, newspaper insert report that a project alternative recommend
  22. September 2011, newspaper insert report on project's multi-modal goal

Throughout project development, ODOT has maintained a project website at [http://www.oregon.gov/ODOT/HWY/REGION3/hwy62\\_index.shtml](http://www.oregon.gov/ODOT/HWY/REGION3/hwy62_index.shtml) with current information about the project status as well as an archive of past meeting minutes, alternatives considered but dismissed, and other relevant project information. The website has been updated periodically with the latest news and results of technical studies. The website also includes contact information for ODOT project representatives.

## 7.6 Comments and Responses to Comments

All substantive comments on the DEIS that are received during the DEIS review period will be considered. Substantive comments are those comments that are related to the facts of the project, project environmental documents or studies. Project alternatives and proposed mitigation may be modified in response to comments received. The Final EIS will contain all comments received on the DEIS, as well as response to substantive comments. Comments will not be accepted beyond the close of the comment period.

Table 7-10 includes all comments received during the DEIS public comment period and the responses to those comments. Table 7-10 is organized by category of commenter: public agencies first, followed by private individuals, businesses, and organizations. Copies of the actual comments, as received, follow the table. An identifying number has been assigned to each commenter and the associated comments that each commenter provided. These numbers can be used to identify and cross-reference the commenter and associated comment(s) in Table 7-10 along with the actual comment as received, which are also included at the end of this chapter.



**Table 7-10 Comments on Draft Environmental Impact Statement and Responses**

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
<b>Agency Comments</b>					
<b>A1</b>	A1-01	Jeff Bontemps	Jackson County Fire District 3	<p><b>Hwy 62 By-pass from Poplar Road to Agate Road</b></p> <ul style="list-style-type: none"> <li>Double cul-de-sac on Justice Road: As agreed in our meeting, ODOT will provide emergency vehicle access from the west-side of the Hwy 62 By-pass directly onto Justice Road. This access will allow 24/7 emergency access to the residences that populate Justice Road and Peace Lane. This access will include the following essential components: <ul style="list-style-type: none"> <li>» An improved approach road that will allow emergency vehicles to fully exit all lanes of travel and the shoulder/bike lane.</li> <li>» An automatic gate (open upon siren activation) at the termination of the approach road and the cul-de-sac at Justice Road.</li> </ul> </li> </ul>	ODOT will provide emergency vehicle access from the west side and east side of the bypass directly to Justice Road, as detailed in this comment. This mitigation is described in Section 2.1.2.3 of the FEIS and illustrated in Figure 2-4, Sheet 7C FEIS.
<b>A1</b>	A1-02	Jeff Bontemps	Jackson County Fire District 3	<p><b>Hwy 62 By-pass from Poplar Road to Agate Road</b></p> <ul style="list-style-type: none"> <li>Vilas Road Interchange: The current design of the Hwy 62 By-pass is such that emergency vehicle access for the entire length of the by-pass can only occur at Poplar Drive on the south-end and Agate Road on the north-end. The unfortunate consequence of this limited access is that Medford Fire and Rescue will be required to mitigate all emergency incidents that occur in the northbound lanes of the by-pass to include those occurring within the jurisdictional boundaries of District 3, and in a similar fashion District 3 will be required to mitigate all emergency incidents occurring in the southbound lanes; including those that occur in the City of Medford. The only viable solution that will remedy this situation is the construction of an interchange at Vilas Road. District 3 strongly encourages ODOT to consider the construction of this interchange as being the first priority project for future by-pass improvements.</li> </ul>	The recommendation that ODOT make an interchange at Vilas Road the first priority project for future bypass improvements is acknowledged and is part of the record. The emergency access gates on both sides of the bypass at Justice Road should help alleviate this issue.
<b>A1</b>	A1-03	Jeff Bontemps	Jackson County Fire District 3	<p><b>Phase 2 – Hwy 62 By-pass from Dutton Road to Agate Road</b></p> <ul style="list-style-type: none"> <li>Viaduct over Agate Road: As Greg and I expressed to you and your team, Jackson County Fire District 3 has serious concerns regarding the impacts of having a multi-lane viaduct fronting the District's administration/fire station/training campus at the 8300 block of Agate Road. Although the viaduct is conceptual in nature; with a build date possibly two to three decades into the future, the District anticipates the following impacts: <ul style="list-style-type: none"> <li>» Encroachment onto District property (easement issues/loss of property).</li> </ul> </li> </ul>	The Preferred Alternative will not encroach on the property and is designed to remain within the existing right-of-way of Agate Road.



Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
A1	A1-04	Jeff Bontemps	Jackson County Fire District 3	» Access onto Agate Road (traveling north and south).	The Preferred Alternative will retain the current access from the station to Agate Road north, but will close Agate Road south of Avenue G. Access from the station to the south will be via either Avenue G and 11th Street, which the project will improve, or via Avenue G and existing OR 62. As a result, emergency response times to some locations, which would currently be accessed via Agate Road south of Avenue G, may increase somewhat. For example, emergency response time to a representative location at OR 62 and OR 140 could increase from 1.5 minutes under No Build to 2.8 minutes with the bypass.
A1	A1-05	Jeff Bontemps	Jackson County Fire District 3	» Increase in response times to areas that are normally accessed by responding south on Agate Road from Avenue G.	Table 3.5-4 of the FEIS identifies representative travel time comparisons between the build alternatives and the No Build Alternative in which the primary difference would be the removal of Agate Road south of Avenue G. According to these travel time comparisons, emergency response times from this station to OR 62 and OR 140 could increase from 1.5 minutes under No Build to 2.8 minutes with the bypass.
A1	A1-06	Jeff Bontemps	Jackson County Fire District 3	» Increase in traffic noise.	While the Preferred Alternative is predicted to increase noise levels at the administration/fire station/training campus, it will not cause a noise impact, as defined in the July 2011 ODOT Noise Manual.
A1	A1-07	Jeff Bontemps	Jackson County Fire District 3	» All of the challenges associated with mitigating traffic emergencies (motor vehicle collisions, vehicle fires, hazardous material incidents, etc.) that occur on the viaduct.	Accessing motor vehicle collisions, vehicle fires, and hazardous material incidents that occur on the viaduct will take longer than accessing such incidents on surface streets. The selection of the preferred alternative considered the increased difficulty of emergency response on the viaduct in balance with fewer motor vehicle crashes that are expected to occur because more traffic will be on the access-controlled bypass, where accident rates will be lower.
A1	A1-08	Jeff Bontemps	Jackson County Fire District 3	» Limited access on-to and off-of the viaduct.	The viaduct will extend approximately 1,600 feet from Avenue G to north of Avenue H in order to maintain access between the Jackson County Fire District White City Headquarters Station and Agate Road. There will be no access onto and off of the viaduct except at the bypass interchanges at Agate and Dutton Roads.
A2	A2-01	Christine Reichgott	Environmental Protection Agency	(Note: The following comments from the EPA included a cover letter that states that the EPA rating for this Draft EIS as EC-2, Environmental Concerns, Insufficient Information, and summarizes the following detailed comments in a bullet list. These summary bullet points are not included here because the substance of the summary bullet points is already covered in the following detailed comments.)	

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
A2	A2-01 Ctd.	Christine Reichgott	Environmental Protection Agency	<p><b>Preferred Alternative</b></p> <p>For several years, the EPA has worked with FHWA, ODOT, and other agencies to address OR 62 aquatic and other environmental resource issues through the CETAS process. As a result of this involvement, CETAS representatives are familiar with the project history and efforts to inventory, assess, avoid, and otherwise mitigate impacts to sensitive resources, imperiled species and habitats. Design Option B was developed for this reason, in response to resource agency concerns and the need to avoid high value habitats. ODOT has also been developing means to mitigate unavoidable impacts to vernal pools, such as, transplanting fairy shrimp and endangered plants, and is establishing a mitigation bank to preserve off-site vernal pools. The EIS would benefit from having more detailed discussion of these mitigation strategies.</p> <p>Our concern is that we believe the ODOT recommended alternative, SD with Option C, would not avoid and minimize impacts to aquatic resources to the extent practicable and available within the range of alternatives and design options available. In addition, the DEIS does not show that Alternative SD with Option C is, in fact, the least environmentally damaging alternative (LEDDA) in accordance with the 404(b)(1) guidelines. Regarding the Design Options, Option B lies close to the existing urban growth boundary and infrastructure while Option C lies farther west. The most significant difference between them seems to be the potential indirect impacts that could occur to wetlands between existing roadways and the new alignment from induced development and fragmentation.</p> <p>Based on the information provided in the DEIS and in light of the unresolved issues regarding land use goal exceptions, the JTA Phase with Option B appears to be a more prudent and less damaging course of action. Though it isn't presented as a "Build" alternative in the DEIS, it is a viable and reasonable approach to address current and reasonably foreseeable needs. Rather than commit to the SD or DI Alternatives, the need for which is based on uncertain future traffic projections, we suggest constructing the JTA phase and determine whether traffic conditions, land use changes, and local/regional livability goals support further construction.</p> <p><b>Recommendations:</b></p> <ul style="list-style-type: none"> <li>Select the JTA phase with Option B as the preferred alternative in the Final EIS and Record of Decision.</li> <li>Continue to examine the alignments to discern where additional impacts avoidance can be achieved.</li> </ul>	<p><b>Federal Highway Administration (FHWA) Response</b></p> <p>As referenced in Section 3.12.4.1 of the DEIS and described in greater detail in Sections 3.12.5 and 3.13.5 of the FEIS, ODOT will provide compensatory mitigation for the impacts of both the JTA phase and subsequent phases of the SD Alternative with Design Option C on wetlands, including vernal pool wetlands, and associated species. ODOT will do this by applying credits from preserving, restoring and enhancing 63 acres of vernal pool complex at the 116-acre Kincaid Property Mound Site (KPMS), located approximately 3 miles west of the northern terminus of the JTA phase. Restoration measures will reverse past disturbance from agricultural improvements in the 1920's and 1950's and will follow a Compensatory Wetland Mitigation Plan (CWM). ODOT developed this plan in consultation with the U.S. Fish &amp; Wildlife Service (USFWS), U.S. Army Corps of Engineers, Oregon Department of Fish and Wildlife, and Oregon Division of State Lands. A copy of the CWM Plan may be obtained by contacting the ODOT contact person identified on page i of this EIS. The mitigation will comply with the Programmatic Formal Consultation on the Vernal Pool Conservation Strategy for Jackson County, Oregon.</p> <p>For the reasons stated in Section 2.5.3, The SD Alternative with Design Option C is the environmentally preferred alternative. As described there, this is partly because of the small scale of the differences between the impacts of SD and DI Alternatives, and between Design Option C and Design Options A and B, on natural resources. The small scale of these differences includes impacts on wetlands, including vernal pool wetlands, but also includes impacts on stream crossings with documented ESA-listed species present, riparian habitat impacted, and farmland zoned Exclusive Farm Use.</p> <p>In addition, the Preferred Alternative will result in the smallest indirect impacts to high quality wetlands due to the proposed roadway's location on an existing road embankment (the Medco Haul Road alignment). Construction of the Preferred Alternative on the embankment, instead of on the alignments of Design Options A or B, will avoid creating a new north/south hydrologic impoundment that has the potential to indirectly affect east/west surface and groundwater flows that support the regional wetland system, including vernal pool complexes.</p> <p>At the same time, the SD Alternative with Design Option C will result in 25 fewer residential displacements and six fewer commercial displacements than the DI Alternative, Design Option C will result in eleven fewer commercial displacements than Design Option B, and Design Option C will permit the current operation of the Gutches commercial farm to continue, whereas Design Options A and B would</p>

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
A2	A2-01 Ctd.	Christine Reichgott	Environmental Protection Agency	<ul style="list-style-type: none"> <li>Visit the Green Highways website at <a href="http://www.greenhighwayspartnership.org/">http://www.greenhighwayspartnership.org/</a> for more ways to mitigate project impacts.</li> <li>In the Final EIS, provide more specific information regarding mitigation strategies for impacts to vernal pools, fairy shrimp and endangered plant species, and discuss the likelihood of implementation and success.</li> </ul>	<p>divide the Gutches farm and prevent current farm operations from continuing. In addition, the natural resource impacts of the SD Alternative with Design Option C can be mitigated and its wetland impacts will be fully compensated, while the higher residential and commercial displacement impacts of the DI Alternatives and Design Options A and B cannot be avoided. The SD Alternative with Design Option C is not expected to cause induced development between the bypass and existing roadways and conversion of land east of the bypass to nonfarm use is more likely to occur under Design Options A and B than under Design Option C for the reasons in Section 3.2.</p> <p>Based on this information and the analysis presented in the FEIS and subsequent information required in the permitting process, we believe that the U.S. Army Corps of Engineers will also find that the SD alternative with design option C is the least environmentally damaging, practicable alternative.</p> <p>The JTA phase with Design Option B as a standalone alternative would neither meet the Purpose and Need of the project nor address the deficient operations at six of the nine key intersections in the project area. A standalone JTA Phase with Design Option B would not fully address corridor safety and system hierarchy deficiencies, which are identified as key needs in the Project's Purpose and Need Statement. The FEIS and ROD select the SD Alternative, with Design Option C.</p> <p>In many instances the impact estimates provided in the DEIS have been reduced because of further design refinements. Examples include: changes in the alignment of the JTA phase near the north terminus to reduce impacts on vernal pools; reconfiguration of the local roadway changes at the north terminus of the JTA phase to avoid a stream crossing, increase the separation between intersections, and reduce congestion on OR 62; and the elimination of street extensions from Vilas Road to the east side of the Medford Airport, which reduces wetland impacts and new impervious surface. ODOT will continue to identify ways to minimize impacts as the project progresses through final design.</p> <p>ODOT has reviewed the Green Highways website for additional ways to mitigate project impacts. ODOT will incorporate green mitigation techniques such as use of bio-swales and media filter drains on shoulders and other Context Sensitive and Sustainable Solutions (CS<sup>3</sup>).</p> <p>ODOT has incorporated a series of mitigation commitments into the FEIS to address impacts to vernal pools, fairy shrimp, and endangered plant species. These are listed in Section 3.13.5 of the FEIS. In addition, the mitigation commitments in the FEIS are much more specific and</p>

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
A2	A2-01 Ctd.	Christine Reichgott	Environmental Protection Agency		measurable than the measures proposed in the DEIS. And, as discussed in the Record of Decision, all mitigation measures will be entered into the ODOT Environmental Commitment Tracking System, which allows ODOT and FHWA to track the implementation of mitigation measures during and after construction. A copy of the tracking sheet will be part of the plans and specifications in the construction office. The information will be readily available to all construction and inspection personnel. All monitoring activities will comply with the ODOT Biology Monitoring Guidance and Field Monitoring Protocols as discussed in ODOT Technical Bulletin GE09-04 (b).
A2	A2-02	Christine Reichgott	Environmental Protection Agency	<p><b>Ecological Connectivity</b></p> <p>We appreciate that fish passage would be improved by replacing up to 12 non-fish passable culverts with fish passable culverts in the project area. As stated in the DEIS, these culverts may provide passage for small animals as well, but there is no indication that they would be suitably designed for this purpose. We are concerned that there are no clear provisions for safe passage of small terrestrial species, and none for large animals, such as, elk. In addition, the DEIS mentions no plan to include fencing to prevent wildlife from entering the roadway and to funnel them to safe wildlife crossing structures. These elements can best be provided by augmenting the plans for fish passage structures to accommodate safe passage for small, medium, and large terrestrial species as well.</p> <p>Hydrological connectivity is also essential, particularly to increase the likelihood that vernal pool and other wetland hydrology will be maintained. The EIS should address how this would be accomplished throughout the project area, both for the bypass alignment and the new and modified local roads and streets.</p> <p><b>Recommendations:</b></p> <ul style="list-style-type: none"> <li>• Augment fish passage structures/designs to also accommodate safe passage for area wildlife species, with special focus on the needs of elk and Northwestern pond turtles as identified by ODFW conservation and habitat linkage plans. Include needed fencing.</li> <li>• Identify and provide for effective hydrological connectivity zones in project design for the bypass and affected local roadways to support the hydrological integrity of vernal pools and other wetland habitats in the project area.</li> </ul>	<p>Regarding the first recommendation, the culverts under the bypass will be designed to be either 2.2 or 1.5 times the active channel width and will have both a low flow channel for normal flows and a high flow channel to accommodate high-water events. The high flow channel will be dry most of the time; thus, it should allow animals that are deer-size and smaller, including turtles, to cross under the bypass. Fences will be installed along the edge of the right-of-way for the entire length of the project. These fences will not be constructed across the creeks, resulting in gaps in the fences at the new culverts, where animals will be able to access the culverts for crossing.</p> <p>ODOT does not plan to design culverts to accommodate elk. This is because the bypass follows the western boundary of the wildlife linkage area for elk shown on Figure 3.11-3 of the FEIS. In addition, the fence around the Medford Airport will prevent any elk in the wildlife linkage from moving west from the bypass.</p> <p>With regards to the comment about maintaining the hydrologic connectivity of the vernal pools and wetland habitat, in Section 3.12.5 of the FEIS, ODOT has committed to make efforts to avoid disruptions of surface and subsurface hydrology that could disrupt the existing hydrologic balance of avoided wetlands. A study of the effects of previous developments on subsurface hydrology was conducted in 2007. CETAS committee members, including EPA, were provided copies of the draft report and no committee members provided follow-up comments.</p> <p>The report recommended several measures to address instances where the project could disrupt hydrological connections. These included placing horizontal drains within road fill to allow perched groundwater to flow from one side of the alignment to the other, minimizing the depth of roadside drainage ditches to minimize the vertical section of the perched water table intersected by the ditches, placement of an impermeable liner in roadside drainage ditches at appropriate locations</p>

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
A2	A2-02 Ctd.	Christine Reichgott	Environmental Protection Agency		<p>to prevent perched groundwater from discharging to the ditches, and the use of pipes instead of ditches to convey stormwater and backfilling with compacted native soil to prevent the pipe backfill from becoming a preferential groundwater flow pathway. See Oregon Department of Transportation. Highway 62 Wetland Hydrology Analysis Report, November 2007, pp. 37–38. In addition, as stated in the response to comment A2-01, by placing the bypass on the embankment of the Medco Haul Road alignment, instead of on the alignments of Design Options A or B, the JTA Phase and Preferred Alternative will avoid creating a new north/south hydrologic impoundment that has the potential to indirectly affect east/west surface and groundwater flows that support the regional wetland system, including vernal pool complexes.</p> <p>The construction of new local roads as part of the project has been substantially reduced by the elimination of the Justice/Gregory connector road and the street connections from Vilas Road south to the United States Citizenship and Immigration Services facility on the east side of the Medford Airport.</p>
A2	A2-03	Christine Reichgott	Environmental Protection Agency	<p><b>Need for Transportation Alternatives</b></p> <p>The DEIS indicates that only 40% of the traffic in the OR 62 project corridor is through traffic; 60% is local traffic. Land use and access are auto-dependent, transit service is limited, non-motorized infrastructure, bike/pedestrian safety features, and transportation demand management strategies are lacking. Some sidewalks would be added to local street revisions, and the proposed bypass would allow bicyclists and pedestrians to use the highway shoulder, but this raises safety concerns more than it alleviates dependence on automobiles.</p> <p>Aspirational plans for bike trails in the area indicate there is clearly interest in and need for improving non-motorized infrastructure, safety, accessibility, connectivity, walkability, and livability within the project area. The DEIS indicates (p. 2-36, 37) that ODOT will consider incorporation of transit and transportation demand management strategies into the preferred alternative as appropriate, but the DEIS presently does not include any such strategies. The proposed project should include more multi-modal features to serve local travel needs, extend the useful and effective life of the JTA phase solution, increase transportation choices, particularly for disadvantaged populations, and mitigate impacts to community cohesion that would result from the bypass.</p>	<p>The OR 62: I-5 to Dutton Road project will include the following pedestrian and bicycle improvements:</p> <ul style="list-style-type: none"> <li>• New bicycle connection on existing OR 62 southbound at the southern terminus of the JTA phase to accommodate southbound bicycle movement through the JTA interchange area;</li> <li>• New sidewalks and bicycle lanes on Vilas Road from existing OR 62 to Table Rock Road;</li> <li>• New sidewalks on the new local roadways constructed in the Vilas Road area;</li> <li>• Accommodation of pedestrians and bicyclists on the shoulders of the bypass;</li> <li>• New bike lanes on the portion of Crater Lake Avenue that will be realigned with the JTA phase; and</li> <li>• New signalized pedestrian crossing at the northern terminus of the JTA phase.</li> </ul> <p>The proposed bypass will allow pedestrians and bicyclists to use the shoulder. The State of Oregon allows pedestrians and bicyclists on highways, including limited-access highways, to accord pedestrians and bicyclists equality with motor vehicles in usage of the highway system. This reflects a policy that the benefits of pedestrian and bicycle use of the highway system outweigh the safety risk.</p>



Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
A2	A2-03 Ctd.	Christine Reichgott	Environmental Protection Agency	<p><b>Recommendation:</b> In the Final EIS, include provisions for improved transit service, dedicated bike/pedestrian trails, routes, and facilities, and TDM strategies. Ensure that siting of the bypass and new proposed local roads and street revisions do not frustrate or preclude plans for future bike trails and non-motorized networks. For example, consider whether the Medco-Haul Road/railway bed might better serve as a bike trail than a roadway; avoid potential project impacts to the Bear Creek Greenway; and consider the effects of the various Design Options on other future planned bike trails in the project area.</p>	<p>Use of the Medco Haul Road alignment as a bike trail would not meet the project's Purpose and Need. The OR 62: I-5 to Dutton Road project will be designed to avoid precluding any future bicycle/pedestrian trails that are included in current plans. Figure 3.6-5 of the FEIS shows proposed recreational trails within the project area. It includes the Medco Haul/Cedar Links Road Trail (T-3), planned by Medford Parks. A specific location for this trail has not been identified and land for the planned trail has not been acquired, though Figure 3.6.5 shows it generally following the alignment of the Medco Haul Road from near where Whittle Avenue intersects OR 62 north to Vilas Road, then west along Vilas Road to the vicinity of the intersection of Vilas Road and Table Rock Road. The bypass will not prevent construction of the proposed path. While property acquisition for the path would be necessary, the number of parcels from which land would have to be acquired is limited and most of the parcels are undeveloped. See Section 3.6.3.1 of the FEIS for additional information.</p> <p>Impacts to the existing Bear Creek Greenway path will be minimized through the use of retaining walls instead of fill slopes where practical, as discussed in Section 3.6.5 of this FEIS.</p> <p>As part of the OR 62 project development process, a Transit Subcommittee was formed to identify potential improvements in the OR 62 area that would improve transit or access to transit. The committee included members of the OR 62 Citizen Advisory Committee (CAC) and Project Development Team (PDT), as well as representatives from Jackson County, the City of Medford, and the Rogue Valley Transportation District (RVTD). The Transit Study resulted in a set of projects that could be pursued by local agencies, including the City of Medford, Jackson County, RVTD, or ODOT. This list of projects is included in the DEIS and FEIS in Appendix M: Recommendations for Transit and Non-Motorized Transportation. These projects include new sidewalks (particularly filling in gaps in the sidewalk network), improved pedestrian crossings, bicycle facilities, bus stop improvements, and intersection operation improvements.</p> <p>These projects would be located primarily along RVTD Bus Route 60, which runs generally on Grater Lake Avenue and OR 62 from Medford to White City. Much of the area for the projects that have been identified will be under the jurisdiction of the City of Medford or Jackson County once the OR 62 bypass is constructed. The agency lead for projects identified in the Transit Study would likely be the City of Medford, Jackson County, or the Rogue Valley Transportation District. The Rogue Valley Transportation District is primarily responsible for the provision of public transit in the project area. ODOT will provide a supporting role</p>



Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
A2	A2-03 Ctd.	Christine Reichgott	Environmental Protection Agency		<p>in these projects. The projects will be separate from the OR 62: I-5 to Dutton Road project, as defined in this FEIS.</p> <p>There would be one localized community cohesion impact that would result from either the JTA phase or the Preferred Alternative. This would be located in the rural residential neighborhood described in the EIS as the Peace/Justice neighborhood. The bypass would sever Justice Road in the Peace/Justice neighborhood, dividing the neighborhood. Because this is a rural area, it is not anticipated that it currently has a high degree of community cohesion. Therefore, this impact is considered minor.</p>
A2	A2-04	Christine Reichgott	Environmental Protection Agency	<p><b>Environmental Justice, Vulnerable Populations</b></p> <p>The DEIS discusses outreach to low income and minority populations in the project area but, except for the Spanish-speaking residents of White City who expressed need for community cohesion, the EIS does not disclose what was heard or how the concerns were addressed.</p> <p>The EIS states there is no disproportionate impact to low income and minority communities because the fourteen areas where there are high concentrations of low income/minority populations are interspersed with non-low income/minorities. However, the EIS does not address the potential for disadvantaged populations, which also include the elderly, disabled, and children, to be more severely affected by project impacts than less vulnerable populations. Concerns include impacts to community cohesion, isolation/access and mobility limitations for the disabled and those who do not drive; unmitigated noise impacts and its effects on quality of life, project area schools and learning environments; increased exposure to vehicular emissions including air toxics and diesel exhaust from project construction, operations, and maintenance; traffic and safety impacts from construction; devaluation of homes affected by these impacts; and more.</p> <p><b>Recommendation:</b></p> <ul style="list-style-type: none"> <li>In the Final EIS, fully disclose what was heard from outreach to disadvantaged populations and how project proponents are responding to the concerns. Consider the array of impacts and their potential disproportionate severity on disadvantaged and vulnerable populations, and provide means to mitigate these effects. Where noise walls are not feasible, implement alternative mitigation to alleviate noise and visual impacts, such as, increasing buffers, planting trees and shrubs, installing solid wall fencing, or installing insulation and multi-pane windows in homes.</li> </ul>	<p>Section 7.5.3 describes the targeted outreach to EJ populations that was conducted. As stated in Section 7.5.3 of the FEIS, these outreach efforts did not result in any responses that specifically addressed EJ issues. Section 3.4.2.4 of the DEIS describes that Jason Elze, Director of Development for the Jackson County Housing Authority, was added to the Citizen Advisory Committee (CAC) as a voting member to represent the interest of low-income and minority populations. Section 3.4.2.4 of the FEIS describes that Lulu Knutsonde, Bilingual Family Advocate and Health Assistant with the Jackson County Health Department, has joined the CAC as a voting member to represent minority and low-income populations. Appendix L, SAFETEA-LU 6002 Coordination Plan, describes the role of the CAC. The project engaged low income and minority populations throughout the project development process and will continue to do so, and comments submitted will be considered.</p> <p>It is acknowledged that the bypass restricts east-west movement and, as described in Section 3.5.9 of the FEIS, will create a greater restriction on pedestrian mobility than on motorized mobility. However, these restrictions will be minor. In the southern portion of the project area, Medford International Airport already creates a barrier to east-west travel. North of the airport and Vilas Road, the bypass runs through the Peace/Justice area. As a rural residential area, there are serious obstacles to mobility-impaired individuals under existing conditions. At the northern end of the project, the bypass will run through the industrial area of White City, where there are no residences and no businesses that provide goods or services for personal consumption. Therefore, while local shuttles, walkways, and ADA accessible pedestrian over and underpasses are appropriate for densely-populated urban areas, the bypass does not go through such areas and these suggestions do not fit this project.</p> <p>The visual impact mitigation measure commitments in Section 3.8.5, which are similar to the suggestions from the EPA comment letter, will</p>

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A2	A2-04 Ctd.	Christine Reichgott	Environmental Protection Agency	<ul style="list-style-type: none"> <li>Provide mitigation for access and mobility impacts to elderly and disabled populations, particularly near the northern and southern termini of the proposed bypass. For example, consider local shuttles, walkways, ADA accessible pedestrian over and underpasses, and other amenities.</li> </ul>	<p>benefit disadvantaged and vulnerable populations, as well as other populations.</p> <p>Section 3.17 of the FEIS describes the noise analysis completed for the project. Noise abatement measures have not been found to meet the ODOT feasible and reasonable criteria, therefore sound walls are not being considered at this time.</p>
A2	A2-05	Christine Reichgott	Environmental Protection Agency	<p><b>Air Quality, Air Toxics</b></p> <p>The DEIS states (p. 3-295) that the additional travel lanes contemplated as part of the project alternatives would have the effect of moving some traffic closer to nearby homes, schools, and businesses, resulting in localized areas where ambient MSATs could be higher under certain build alternatives, but that this could be offset due to increases in speeds and reductions in congestion. This conclusion does not address the statement on p. 3-295 of the DEIS, that diesel emissions are an exception to this. Emissions of and exposure to diesel exhaust would increase. The EIS should acknowledge this, identify the receptors in the project area that would most likely be affected, and disclose the higher relative health risks to these receptors. The EIS should also note that the most sensitive receptors include children, the elderly, and those with respiratory conditions. Locations where concentrations of these populations would be expected include schools, daycare centers, senior centers, hospitals, medical facilities, outdoor recreation areas, and parks.</p> <p><b>Recommendation:</b></p> <p>Clarify the discussion in the EIS regarding elevated diesel emissions that would result from the build alternatives. Identify the sensitive receptors and locations in the project area that would experience elevated exposure to air emissions from project construction, operation, and maintenance.</p>	<p>As stated in Section 3.16.3.1, further analysis indicates that the Preferred Alternative will reduce exposure to MSATs, including diesel emissions, by diverting traffic to the bypass from north/south roads along which more residences and commercial uses are located. The bypass will not be constructed near locations where there are sensitive receptors; additionally the bypass will disperse local traffic and through traffic between the bypass and existing OR 62. The Preferred Alternative will also reduce diesel emission levels at the Bear Creek Greenway, which is the only public park adjacent to the Preferred Alternative. The Preferred Alternative will do this by avoiding the concentration of traffic on existing OR 62 where it crosses over the Bear Creek Greenway by diverting from existing OR 62 traffic moving between I 5 and the bypass.</p> <p>Figure 3.5-1 identifies schools and hospitals within one mile of the project. None are located adjacent to the alignment of the Preferred Alternative. There are no daycare centers, senior centers, or medical centers near the alignment.</p>
A2	A2-06	Christine Reichgott	Environmental Protection Agency	<p><b>Construction Emissions</b></p> <p>We appreciate the air quality construction mitigation measures listed in the DEIS, p. 3-298. The EIS states that ODOT's standard specifications in Section 290.30 would apply during project construction. It would be helpful to disclose in the EIS what air pollution control measures are included in these specifications. Our concern is that they include a full suite of measures to minimize overall construction emissions and exposure for nearby residents and businesses as well as construction workers. Consider adding a measure to address preventative maintenance of construction equipment to further strengthen the standard specifications. For dust control, in order to avoid introducing</p>	<p>It is impractical to include a listing of current ODOT standard specifications in environmental documents. The standard specifications are routinely updated and may be different when the project contract is bid. On March 20, 2013, FHWA sent to EPA (Elaine Somers, Yvonne Vallette and Christine Reichgott) the current standard specifications for Air Pollution Control Measures. No response to that information has been received.</p> <p>ODOT will apply its current standard specifications (Section 290.30(c), Air Pollution Control Measures). Among other provisions, Section 290.30(c) requires the prevention of "airborne dust and fugitive dust emissions from construction activities" and prohibits the use of "oil,</p>

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A2	A2-06 Ctd.	Christine Reichgott	Environmental Protection Agency	<p>additional toxic pollutants to soil, groundwater, surface water, and air, we recommend the use of water rather than chemicals or oil.</p> <p><b>Recommendation:</b> Include the above information and mitigation refinements in the Final EIS and Record of Decision.</p>	waste, waste water, or other illegal materials as dust suppressants."
A3	A3-01	Allison O'Brien	Department of the Interior	<p><b>Historic Properties</b> The Oregon Department of Transportation (ODOT) consulted with the Oregon State Historic Preservation Office (SHPO) regarding the effects of the proposed project on the historic David Gingcade House and Barn Complex, which is eligible for listing in the National Register of Historic Places (administered by the National Park Service (NPS), a component bureau of the Department). The SHPO concurred with the finding of no effect. In addition, the historic 1940s Camp White Hospital Complex was determined to be outside the planned project area. Therefore, we have no further concerns regarding known historic properties.</p>	Thank you. The SHPO project-level Finding of Effect is included in Appendix F of the FEIS.
A3	A3-02	Allison O'Brien	Department of the Interior	<p><b>Land and Water Conservation Fund</b> Section 6(f)(3) of the Land and Water Conservation Fund (LWCF) Act states that "[n]o property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses." Secretarial approval has been delegated to the NPS; therefore, NPS approval is required before a conversion occurs. Conversions can occur due to impacts beyond the project's footprint. Should a conversion occur, replacement property of current fair market value and recreation utility and meeting other regulatory requirements, will be required.</p> <p>Table ES-7 in the DEIS incorrectly indicates that 6(f) approval is needed from Jackson County and the City of Medford. As stated above, LWCF conversions must be approved by the NPS with prior approval from the Oregon Parks and Recreation Department (OPRD).</p>	Tables ES-7 and 2-16 in the FEIS have been revised to include approval by the Oregon Parks and Recreation Department and National Park Service for conversion of Bear Creek Greenway land under the Preferred Alternative, pursuant to Section 6(f) of the Land Water and Conservation Act.
A3	A3-03	Allison O'Brien	Department of the Interior	<p>There are two 6(f) conversions associated with this project and neither is correctly depicted. As a result, the conversion footprint and the associated acreage is underestimated throughout the report. Furthermore, because a replacement parcel has not been identified, only half of the NEPA process would be completed by this document. The Department recommends that this be addressed in the "major unresolved issues" section.</p> <p>The 6(f) project boundary depicted in Figure 3.6-2 (included as</p>	Figure 3.6-2 FEIS has been added and includes the additional 6(f) properties shown in Attachments 1 and 2 of the NPS comment letter. Attachment 3 to the comment letter is understood to include both properties that are now 6(f) and properties that have been 6(f) properties in the past. ODOT's and Jackson County's files show no 6(f) protection on those particular parcels. Because of this conflicting information in NPS's records versus ODOT's and Jackson County's, text has been added to Section 3.6.3.1 stating that the Preferred Alternative may use approximately 1.6 acres of 6(f) land, instead of the

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A3	A3-03 Ctd.	Allison O'Brien	Department of the Interior	<p>Attachment 1, with notes) is not correct. The property was acquired under grant 41-00355, but not all of the acquired parcels have been depicted.</p> <p>We have included as Attachment 2 our as-acquired map. This map shows that the parcel to the west of 37-2W-13DA-100 was also acquired. In addition, because there is an unresolved conversion from ODOT's North Medford Interchange project, NPS has not approved a change to the 6(f) boundary that excludes the existing I-5 ramps. The DEIS does not depict the parcels protected under grant 41-01147. These parcels are identified in Attachment 3 with notes. The parcels in purple were existing public lands added to 6(f) and those in blue were acquired.</p>	<p>approximately 1.3 acres stated in the DEIS, but that resolution of this discrepancy will occur during final design and ROW acquisition for the project. ODOT will work with the City of Medford, Jackson County, Oregon Parks and Recreation Department and National Park Service to fully resolve which parcels are subject to Section 6(f) and replace the land used for the project that is found to be subject to Section 6(f).</p> <p>Reference to the requirement to replace the 6(f) land with land approved by the National Park Service has been added to the section on major unresolved issues in the Executive Summary. ODOT expects to complete the NPS NEPA process for the Section 6(f) conversion and replacement when replacement property has been identified and agreed upon by all appropriate parties. Conversion of this property would not occur until a phase subsequent to the JTA phase is funded for construction. At this time funding for phases subsequent to the JTA phase has not been secured.</p>
A3	A3-04	Allison O'Brien	Department of the Interior	<p>The DEIS indicates that the realignments of the Greenway Path are minor; however, it appears that under the preferred alternative, as depicted on figure 3.3-6, the pathway will be significantly closer to I-5 than before. The DEIS discussion of the associated changes in the visual and sound experience for the hiker does not adequately address these changes, and there is no discussion of these impacts in the minimization/mitigation section. The Department recommends that renderings of what the before and after trail experience will be on the ground, particularly in parcel 37-2W-13DA-100 where the new on/off ramps will be built, be included in the FEIS, as these would inform a more thorough 6(f) analysis of the project.</p> <p>The Department recommends that ODOT work with OPRD and the NPS Partnership Program in addressing these 6(f) concerns.</p>	<p>The Bear Creek Greenway path is used for a wide variety of purposes, including both recreation and commuting. The path in the project area is in an urban setting and is adjacent to I-5. As a result, a high level of ambient noise is to be expected on that part of the path. In addition, in the area where the Bear Creek Greenway path is adjacent to I-5, the existing I-5 ramps are elevated on an embankment as much as 20 feet above the Bear Creek Greenway path. The change in noise and visual experience for users of the trail from moving that segment of the path closer to I-5 will be marginal.</p> <p>Section 3.6.2.1 of the FEIS has been supplemented with additional description of the existing environment on the segment of the Bear Creek Greenway path that is adjacent to I-5. This should help clarify why the impacts of the Preferred Alternative on the visual environment and noise as experienced by users of the Bear Creek Greenway path will be minimal. Figure 3.8-3 is a simulation of the visual impact of the Preferred Alternative on the Greenway path on the east side of I-5. Sections 3.6.5 and 4.4.5 of the FEIS contain ODOT's mitigation commitments for impacts on parks, recreational facilities, and wildlife refuges. They include the following measures to mitigate the impacts of the Preferred Alternative on the Bear Creek Greenway path:</p> <ul style="list-style-type: none"> <li>• ODOT will minimize the impact to the Bear Creek Greenway by using retaining walls instead of fill slopes wherever practical;</li> <li>• in the area where the Bear Creek Greenway trail is located on the west side of I-5, ODOT will shift the Bear Creek Greenway trail slightly to the west to ensure that the recreational uses are not impacted;</li> </ul>



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A3	A3-04 Ctd.	Allison O'Brien	Department of the Interior		<ul style="list-style-type: none"> <li>• ODOT will replace the existing Greenway path bridge located on the east side of I-5 with one located farther east. ODOT will also rebuild the path to connect to the new bridge. The new bridge and path connections will be built prior to removing the existing bridge over Bear Creek to allow the path to remain open during the bridge realignment work;</li> <li>• ODOT will require that during project construction, path closures will last one day or less, and will be minimized to the greatest extent possible. Such closures will only occur when necessary to ensure public safety, such as when materials are being hoisted overhead or when overhead construction activities occur. Short-term path closures, such as when construction crews need to temporarily stop path traffic to allow construction equipment to cross the path, will last 15 minutes or less and will also be minimized;</li> <li>• ODOT will coordinate with the City of Medford and Greenway representatives to develop a schedule for path closures and will advertise those closures to the public in advance. To the greatest extent possible, such closures will be scheduled for times when the path is less heavily used;</li> <li>• During project construction, ODOT will provide directional signage for alternate northbound and southbound routes around the closed segments of the path;</li> <li>• As required by Section 6(f) of the LWCA, prior to construction of a phase that would impact the Bear Creek Greenway, ODOT will provide land to replace the approximately 1.3 to 1.6 acres (depending upon outcome of Section 6(f) status for parcels) of Bear Creek Greenway land that was acquired and/or developed with LWCA funds;</li> <li>• ODOT will include improved directional signs to guide cyclists and pedestrians to and from the Bear Creek Greenway trail;</li> <li>• in the vicinity where the OR 62: I-5 to Dutton Road project intersects with the Bear Creek Greenway trail, ODOT will improve navigational signage on the local street network to help bicyclists and pedestrians find a safe route to the Bear Creek Greenway trail;</li> <li>• in places where the Bear Creek Greenway trail will be realigned, ODOT will ensure that the new segments preserve the recreational experience, including avoiding sharp turns and designing gentle curves that are in harmony with the existing topography and landscape;</li> </ul>

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A3	A3-04 Ctd.	Allison O'Brien	Department of the Interior		<ul style="list-style-type: none"> <li>in places where the Bear Creek Greenway trail will be realigned, ODOT will construct the new segments using techniques and materials that will avoid future upheavals or potholes created by tree roots or soil movement;</li> <li>in places where there will be new construction or ground disturbance near the Bear Creek Greenway, ODOT will install landscaping that is native to Bear Creek to screen the new construction and cover the disturbed ground;</li> <li>ODOT will design all new bridges over Bear Creek to be visually compatible with the surroundings, using pigments to darken concrete, adding texture to large expanses of concrete, and avoiding use of bare galvanized metal on railings, sign posts, or light posts that are visible from the Bear Creek Greenway;</li> <li>ODOT will build a noise barrier between the planned Midway Park and I-5 to mitigate for the displacement of a planned noise-reducing berm; and</li> <li>ODOT will continue to coordinate with the Medford Parks department to ensure that any design changes to the project do not impact plans to develop Midway Park.</li> </ul>
<b>Individual Comments</b>					
I1	I1-01	Patrick Fitzgerald	Individual	As a registered voter living in Medford on Poplar Drive, I want to go on record as opposing spending one more dime on this stupendously wasteful, ill-conceived government "jobs" project. I will use every legal means within my power to stop it.	Your support for the No Build Alternative is acknowledged and was considered in selecting the Preferred alternative. Your comment is included in the project record.
I2	I2-01	Shirley Stanfield	Individual	I understand that you are inviting comment on the Medco Haul Road section of the Highway 62 bypass, which I favor. I would, however, like to comment on the portion that is to come later; and hopefully in a timely enough fashion to have a voice. My husband and I attended a meeting regarding the extension that would end at Dutton Road and I am left wondering why that proposal deems it necessary to cut new roads in when Agate Road would seem an appropriate means of carrying traffic to Eagle Point, Shady Cove and points beyond with little additional impact to wetlands and riparian areas. There are already arterial roads in place to accommodate commuters wishing to exit at either of the aforementioned towns; and it would certainly make for a more pleasing driving experience for visitors to Crater Lake.	Agate Road and other connecting roads between Medford and Eagle Point and Shady Cove do not have the capacity and are not equipped to handle the volumes of traffic projected in 2035. In addition, Agate Road would not provide sufficient parallel capacity to address failing intersection operations on OR 62 through White City. OR 62 at OR 140 and OR 62 south of Merry Lane are currently identified as sites among the top 10 percent on the State Highway System rated as most unsafe. Relying on Agate Road to carry traffic parallel to OR 62 would not address this current need for safety improvements.



Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
13	13-01	Brad Foster	Individual	I use the highway quite a bit and I have concerns about the design of the project. Looking at the map, I am wondering why we can't merge Crater Lake Ave to Crater Lake Highway (Business) as the "third lane" on the right side with right of way entrance to businesses? If this is NOT a bypass, then why keep Crater Lake Hwy and Crater Lake Ave separated? Look at the map... where the highway bears left, that's where Crater lake Ave meets and I think there's no reason not to merge them together.	<p>This comment is understood to mean that Crater Lake Highway and Crater Lake Avenue should be merged and the highway should be widened from four lanes to six lanes, with accesses to businesses along Crater Lake Avenue allowed directly off of highway.</p> <p>This approach would improve traffic capacity north of the OR 62/Crater Lake Avenue split. However, this approach would do nothing to address the congestion on OR 62 south of the OR 62/Crater Lake Avenue split. This is the location where congestion is the worst in the corridor.</p> <p>The Purpose and Need for the project also includes addressing safety issues on OR 62. Widening the existing highway and allowing driveway accesses directly off of the highway would exacerbate the existing safety problems, rather than address the issue.</p> <p>Since there is limited funding available for the JTA phase and there is a community desire for the JTA phase to reach as far north as Agate Road, an interchange at Vilas Road is not included in the JTA phase. The interchange at Vilas Road is planned for the full build-out phase.</p>
13	13-02	Brad Foster	Individual	With many people living in Central Point, I believe there's a reason to have exits on Vilas Road. How hard is that if you are going to build a bridge going over that road? The ramps will stay leveled with the highway as the bypass highway climbs toward the overpass?	
14	14-01	Michael De Blasi	Individual	The Bypass is an absolutely stupid idea and just goes to show how the political leaders and ODOT in southern Oregon are a group of people who have no concept of transportation and community health. The reason being brought up for why the Bypass needs to be built is because there is too much traffic on Hwy 62. But the reason why Hwy 62 was "upgraded" was to move more cars more efficiently. However, the geniuses in Medford, Jackson County and ODOT then decided to allow the highway to become lined with auto-dependent development. What could you all have possibly been thinking?	<p>ODOT acknowledges that existing OR 62 is lined with auto-dependent development. By making the bypass access-controlled, ODOT has ensured that this will not happen along it. The only access points to the bypass will be at the interchanges specified in the description of alternatives in Chapter 2 of the FEIS. In addition, land use plans and zoning will limit big box-style development adjacent to the proposed bypass interchanges.</p> <p>The process that led to the selection of the bypass as the Preferred Alternative included extensive consultation with stakeholders throughout the project area. Identification of the Preferred Alternative was the result of consensus-building among project stakeholders, including the City of Medford, Jackson County, ODOT, area businesses, and residents in the corridor.</p>
14	14-02	Michael De Blasi	Individual	Medford, which has become a pile of dung because of sprawl, was allowed to sprawl even more with big box stores and strip malls. This prevented the building of walkable development. If you think otherwise I challenge you to walk on that road to complete your daily trips for shopping, getting to work, etc. And transit isn't an option because the frequency is too low for such a sprawling environment. So now any traffic flow improvement that might have been achieved by the HWY 62 widening is completely lost.	<p>ODOT acknowledges that the project area has developed in an auto-centric fashion, the pedestrian environment is deficient, and transit service is inadequate. ODOT completed a Transit Study as part of the development of the DEIS. This study examined the existing RVTD service and the network of pedestrian and bicycle facilities available to access transit and proposed solutions that would help improve transit usage in the corridor. Primary conclusions of this study include the following:</p>

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I4	I4-02 Ctd.	Michael De Blasi	Individual		<ul style="list-style-type: none"> <li>RVTD would require increased operating funds in order to increase frequency on Route 60, which runs along the OR 62 corridor to White City. Ongoing transit operating funds are beyond the scope of this project; however, RVTD can pursue additional funding for Route 60 operations.</li> <li>ODOT will support RVTD, the City of Medford, and Jackson County efforts to fill in the sidewalk network, improve pedestrian crossings, and increase bike facilities.</li> <li>Once the bypass is constructed, ownership of the existing OR 62 roadway will be transferred to the City of Medford (within city limits) and Jackson County (outside city limits). This will present an opportunity for the local jurisdictions to calm traffic on the existing OR 62 roadway and create a more pedestrian and bicycle-friendly environment.</li> </ul>
I4	I4-03	Michael De Blasi	Individual	So now you geniuses want to create a bypass. Do you think that's going to do anything to ameliorate the traffic problems? NO WAY! All you will do is open up more land to sprawl, prevent the building of compact development, force more people into cars, add one more nail to Medford's coffin and be right back where you are now. Of course the people in southern Oregon in general, and the political and business leaders in particular, are so colossally stupid that they will fall for the con job you are trying to make. They'll cheer that ODOT has done something to improve traffic flow around Medford. The politicians will all line up for the photo op when groundbreaking begins. And the ODOT engineers can build another piece of crap highway.	Because Oregon land use law provides for urban growth boundaries to direct where growth occurs over a 20-year horizon, the OR 62 bypass will not have the same inducements to sprawl as a similar project in another state, such as California, where land use laws are less stringent.
I4	I4-04	Michael De Blasi	Individual	Having lived in southern Oregon I believe that it is more a part of California, an extension of the Sacramento Valley, than a part of Oregon. And as Jackson County becomes a bigger pile of crap as it becomes more dependent on the car, I hope we can get it to secede and join California. And they can take all of you ignorant ODOT employees.	The comment is acknowledged and is part of the project record.
I4	I4-05	Michael De Blasi	Individual	I have a few things I recommend that you read: the "Strong Towns" blog by Chuck Marohn, writings from the New Urbanists and the "Clusterfuck Nation" blog by James Howard Kunstler. They write more in depth about what I've tried to briefly explain here. If you take these writings to heart you might actually do something that will help southern Oregon. But I doubt it because ODOT, despite what the new director says, is in the road building business.	The comment is acknowledged and is part of the project record.
I5	I5-01	Harold Pretorius	Individual	I work in Medford and live in Trail so I use Hwy 62 daily. I think a higher speed limited access bypass is a great idea. But "limited" is the key word here. Any bypass should have access to the Costco area and Vlas road.	While the JTA phase does not include the interchange at Vlas Road, this interchange will be built as part of the full build-out. Both the Preferred Alternative and the JTA phase will divert through traffic

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
I5	I5-01 Ctd.	Harold Pretorius	Individual	This allows people a choice when going to Costco or nearby business, thus reducing the traffic on the old Hwy. while still allowing the new road to be uncluttered by numerous stoplights. Nobody needs a "zipline" from Medford to White city!	onto the bypass, reducing traffic on existing OR 62 near the Costco by nearly two-thirds under the Preferred Alternative and by over one-half under the JTA phase. This will substantially reduce congestion and delay on existing OR 62, easing access to businesses in the area of the Costco.
I5	I5-02	Harold Pretorius	Individual	While I'm on my soapbox – why is the Owens Rd stop light so poorly designed that a vehicle can approach '62 from the east and make a right turn on '62 and trigger the stop for the whole of Hwy 62? I come in early and frequently the light is triggered by someone turning right and we all sit and watch an empty intersection ---- this cannot be a great example of traffic control!	This comment does not address an aspect of the OR 62 project. The signal at OR 62 and Owens Drive is under the jurisdiction of the City of Medford. Once the proposed bypass is constructed, the section of existing OR 62 at Owens Drive will be under the jurisdiction of the City of Medford. This may present opportunities to better integrate signal timing on existing OR 62 with the surrounding City of Medford traffic signal network. This comment has been forwarded to the City of Medford.
I6	I6-01	Chad McComas	Individual	<p>I was glad to get this email address to voice my feelings about the 62 Bypass.</p> <p>I live very close to the bypass route. Just down Whittle on Alcan. Been here since 1991.</p> <p>I can understand the need for another route to White City, Eagle Point and beyond. I've seen the traffic continue to increase over time and the danger of the increase. I don't doubt the need.</p> <p>But, I have also seen the increase in the use of the old Medco road for recreation for our community. I've been walking it for almost 20 years, but in the last few the traffic has dramatically increased with people finding a wonderful place to get exercise, release tension, walk their dogs, enjoy time together, etc. I'd say that there are literally hundreds of folk who have used this road on an almost daily basis. Of course, ODOT has put up signs not to trespass, but I still see people using it every day. It is a wonderful place to come since it is flat and the views of the valley are truly amazing.</p> <p>My hope, my request, is that with the bypass a walking, bike trail will be included along the airport as well. It will serve our community in two ways. . . traffic relief and stress relief for our community. Is that in the works?</p>	<p>Figure 3.6-5 of the FEIS shows proposed recreational trails within the project area. It includes the Medco Haul/Cedar Links Road Trail (T-3), planned by Medford Parks. A specific location for this trail been not been identified nor has land been acquired. While the bypass will not include the construction of a trail facility, the bypass will not preclude construction of the trails that are proposed by Medford Parks. See Section 3.6.3.1 of the FEIS for more detailed information.</p>

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17	17-01	Hank Snow	Individual	<p>After carefully reviewing the DEIS for this project, I am supportive of the Departments favored option. I am an affected property owner and was a long time resident of Jackson County (1953-1997). I continue to own two parcels of property in the area; only one is affected by this project. I am encouraged that it appears that a solution (partial) to the valley's traffic congestion is moving forward. As a member of the old action committee for transportation in Medford, I have always thought that bypasses and belt-lines were the only way to efficiently move traffic from the interior corridors of the valley.</p> <p>Congratulations on the progress and keep up the good work. I look forward to moving back to the valley in retirement.</p>	<p>Your support for the Build Alternative is acknowledged and included in the project record.</p>
18	18-01	Jeanette Logston	Individual	<p>With regards to terminating Bypass 62:</p> <p>I would like to see you combine the DI + the SD together. This would allow more traffic to and from this busy shopping area to use the bypass. I think this would be the best of both plans.</p>	<p>By a combination of the SD and DI Alternatives, the comment is understood to mean the SD Alternative, with the addition of an exit from the bypass southbound to Bullock Road, a crossing of Bullock Road/Poplar Drive under existing OR 62, and an entrance onto the bypass from existing OR 62 northbound, as with the DI Alternative. While this would improve access to Fred Meyer and Poplar Square from the bypass southbound compared to the SD Alternative, it would substantially reduce access from Fred Meyer and Poplar Square to the bypass northbound and to Fred Meyer and Poplar Square from existing OR 62 northbound. More detailed rationale for selecting the SD Alternative as the Preferred Alternative is included in Section 2.5.2 of the FEIS.</p>
19	19-01	Roger Pratt	Individual	<p>You show my property as a water tank and nothing else. And it's landlocked on the new proposal. There's actually a 10,000 square foot building there, and the water tank was built by Coffin Weagle [phonetic] some years ago at the behest of the fire department. They had to have water for that whole area, so they put up a 14,000 gallon tank, which I now own. But I bought it from Willy Ellingsworth, that was Willy Boat Company's trailer shop. But now it, some way it doesn't show up as anything on there except the water tank. And it says that it will be landlocked.</p>	<p>There are two right-of-way impacts on this parcel, located at 500 W. Dutton Road. One is to the water tank, which will be within the project right-of-way and will have to be relocated by the project. The other impact will be that the business located on the parcel will lose its access. Due to the loss of access, this parcel will be purchased as part of the right-of-way acquisition for the project. ODOT will compensate Mr. Pratt for loss of property at fair market rates and assist in relocation of the business on the parcel.</p> <p>Section 3.3.3.2 of the FEIS clarifies the impacts on this parcel.</p>

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I10	I10-01	Brad Inman	Individual	My question is, in asking the public to make informed decisions on these various alternatives, including the No Build possibility, don't we need to include in our deliberations and our thoughts the cost and the sources of funding for the various alternatives, along with the timeframe for the build-out of the project?	Section 2.1.2 of the DEIS contained the cost of the build alternatives and JTA phase and when the projects are expected to be constructed. Section 2.1.4 identified the funding for the JTA phase as being the 2009 Jobs and Transportation Act, enacted by the State of Oregon. The Act authorized the issuance of bonds, to be retired using motor vehicle fuel tax and registration fee revenues. These sections of the FEIS contain the same information. The principal source of funding for the full Preferred Alternative is expected to be the Federal Highway Trust Fund.
I11	I11-01	Kay Harrison	Individual	My comments are, as far as the environmental impacts and the impacts to the residential dwellings in the area, if a private developer wanted to do this, it would be cost prohibitive and he would never get the environmental right out to be able to make the changes that are needed for this.	ODOT has the responsibility to provide a statewide transportation system for the benefit of Oregon's citizens and has, therefore, been given authority by the Oregon Legislative Assembly that private developers do not have. Like private developers, ODOT must comply with environmental laws, including disclosure of all potential environmental impacts in this EIS.
I11	I11-02	Kay Harrison	Individual	The cost for the individuals that have been living on this property for a long time, like the gentleman before me, what are those costs and how does that roll into it? I know they will probably be given the correct amount of money for the assessment of the property, but it doesn't talk to how long they have been there, the family background, and all of those things that are never considered.	In accordance with applicable state and federal laws, ODOT will pay the fair market value of property acquired and will provide relocation assistance benefits.
I11	I11-03	Kay Harrison	Individual	When you're looking at the vernal pools, what are you going to do, mitigate those? Again, if a private developer wanted to do that, it would be really hard for them to do that. So you're taking away EFU land and forest land that would be prohibitive if it was private. Because it's a public thing, you're being allowed to do it.	See Section 3.13.5 and the response to comment A2-01 for a description of the mitigation for the project's vernal pool impacts. Oregon law allows the use of EFU land and forest land outside urban growth boundaries (UGBs) for projects like the bypass, if a county approves exceptions to applicable Statewide Planning Goals. ODOT is seeking such exceptions from Jackson County for the portions of the bypass outside the Medford UGB, including the portions zoned EFU and the portions designated as forest land. The same requirements would apply to a private developer.
I12	I12-01	David Young	Individual	<b>1). GOAL 2: ("INDIRECT") CUMULATIVE SEVERE IMPACTS TO WETLANDS and ESPECIALLY to HIGH, MEDIUM, and LOW VALUE VERNAL POOL RESULTING from EITHER OPTIONS A OR B that would not accrue with OPTION C:</b> Why does the "Preliminary Summary of Evaluation Measures" (PSEM) and the DEIS not reflect the total cumulative destruction to all wetlands and especially to the High Value Vernal Pool complexes that are in pristine, undisturbed condition that would ensue from the new construction of either Option (A) or Option (B) that would not occur	The Preliminary Summary of Evaluation Measures (PSEM) was presented to the public in May 2011. The PSEM was just a summary and was not intended to provide a detailed explanation of cumulative impacts. ODOT agrees with the conclusion of the PSEM in principle. Design Option C is preferable to Design Options A and B with respect to its reduced indirect and cumulative impact on vernal pool complexes located north of Vilas Road. This is due to reduced new surface and groundwater impoundment/fragmentation.



Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
112	112-01 Ctd.	David Young	Individual	<p>construction of either Option (A) or Option (B) that would not occur with Option (C)? Either (A) or (B) road bed construction would newly dam water drainage currently feeding High, Medium, and Low Value Vernal Pools as well as other wetlands leading to eventual large-scale destruction after this new road bed construction.</p> <p>All vernal pools would become impounded between two dam structures to water flow, that is the already existing Haul Road and either of the newly created (A) or (B) road beds, blocking the future, sustaining water drainage to the pools and other existing wetlands. Yet the PSEM and the DEIS nowhere reflects these difference in the long term cumulative damage in its assessment of “indirect” damage, to both vernal pool and general wetland destruction. Further, Gregory Road is to be constructed in all three option scenarios and will parallel Options (A), (B), or (C) adding to the north-south impoundment, “damming” effect to the water supplying wetlands but would have much less cumulative effects with Option (C) Haul Road versus either (A) or (B) as Gregory Road would run almost adjacent and lie in the same corridor as the Haul Road for most of its course thereby acting as one shared dam complex with the already existing Haul Road rather than adding an additional completely separate dam complex as with Options (A) or (B).</p>	<p>According to the DEIS, “Under Design Option C, the proposed roadway would be located on an existing road berm which presumably has already altered the hydrology in this location. Therefore Design Option C is expected to have the least indirect impact on the surrounding groundwater and surface water” (DEIS, p. 3-249).</p> <p>However, it is important to understand how indirect effects are measured and quantified by the U.S. Fish &amp; Wildlife Service, the U.S. Army Corps of Engineers, and the Oregon Division of State Lands. These agencies quantify indirect effects by applying a 250-foot buffer to the roadway. Any vernal pools located within that buffer are assumed to be indirectly affected. In addition, all other vernal pools within the same vernal pool complex are viewed as indirectly impacted. The DEIS included a full evaluation of all three design options with respect to wetlands and vernal pools in Sections 3.12 and 3.13 as well as a summary of cumulative impacts in Section 4.9. Option C has been identified as the Preferred Alternative for the reasons discussed in Section 2.5.2.</p>
112	112-02	David Young	Individual	<p>Instead, the PSEM (p.3 &amp; 4) and the DEIS indicates that the “indirect destruction” of “high quality,” “medium quality,” and “low quality” “vernal pool habitat” would be equal for (A), (B), and the Haul Road Option (C).</p>	<p>As mentioned above, this is due to the fact that the applied buffer, from the resource agencies’ (US Fish and Wildlife Services, US Army Corps of Engineers and Oregon Department of State Lands) methodology, would overlap with these vernal pool complexes regardless of the chosen option. Consequently, the design option considered (A, B, or C) differs very little in acreage impacts between options, as direct impacts for one option show up as indirect impacts under the other options. The constraints of the assessment methodology result in the three design options appearing to be equal. Furthermore, all the vernal pool complexes in the alignment segment that includes the three design options (A, B, and C) were rated as being of “low conservation rank” by the Agate Desert Vernal Pool Final Draft Functional Assessment Methodology (ESA 2007). As a result, there is also no means by which to differentiate design option impacts based on the quality of vernal pools affected.</p>
112	112-03	David Young	Individual	<p>Of course, all manner of vernal pool habitat and all the rest of the impounded wetlands would all eventually be similarly highly impacted if not largely destroyed by the same dam-like effect of water flow starvation by the construction of a solid road bed north-south than would cut off most, if not nearly all, the existing pattern of water drainage from east to west.</p>	<p>Between Vilas Road and Gregory Road, the Agate-Winlo soil complex, which is associated with vernal pool complexes, only extends west of the Medco Haul Road at one location. At this location, the area west of the Haul road has been converted by tilling and earth work for the purpose of agriculture. It is not clear that the roadbed is responsible for the loss of vernal pools to the west.</p>



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112	112-03 Ctd.	David Young	Individual	This effect can be seen in the already existing relative loss of wetlands below (i.e. west of) the already constructed Option (C) Haul Road demonstrating what would happen to wetlands newly impounded below (i.e. west of) the newly constructed Options (A) or (B).	For example, consider that several vernal pools still exist immediately west of the Medco Haul Road at the airport (south of Vilas Road) where the land was not converted for agriculture. Some of the wetlands are supported by overland flow via swales on gentle slopes; others seem to rely solely on perched precipitation with little lateral connection. A study of the effects of previous developments on subsurface hydrology was conducted in 2007 (ODOT, Highway 62 Wetland Hydrology Analysis Report, November 2007, pp. 37-38). The report recommended several measures to address instances where the project could disrupt hydrological connections.  As the design of the project advances, ODOT will consider the mitigation suggestions from this report and incorporate appropriate and feasible mitigation measures into the final design of the project.
112	112-04	David Young	Individual	In effect, all the high, medium, or low vernal pools as well as other wetlands lying between the already existing road bed of Option C (Haul Road) and the newly constructed road beds of either (A) or (B) would be strangled for water flow and virtually destroyed over time; yet, somehow, the PSEM and the DEIS shows exactly the same or at most (.1) Acre differences for Options (A) and (B) versus Option (C) Haul Road in "indirect effects" on vernal pool wetlands.	This comment is related to the resource agency methodology we have described and referenced in I12-01 and I12-02. Design Option C has been selected as part of the Preferred Alternative, which is consistent with the concerns and assumptions raised in this comment. Section 2.5.2 of the FEIS provides the reasons for selecting Design Option C. Design Option C is expected to result in the least hydrologic impacts because it is along an existing linear feature.
112	112-05	David Young	Individual	<b>2). GOAL 2: GREATLY INCREASED RIPARIAN DAMAGE FROM EITHER (A) OR (B) that Would Not Accrue with Option (C):</b> Why does the PSEM and the DEIS show only slightly less total riparian damage for Option (C) (Haul Road) versus (A) or (B) when the existing Option (C) Haul Road is not new impact (already constructed and already existing) and crosses both the Swanson and Whetstone streams at existing narrow stream width crossings yet either (A) or (B) would be new construction and therefore newly created damage and would cross both Swanson and Whetstone streams at site crossings of much larger, less well defined stream pathways and would entail relatively much greater construction and fill damage and therefore new and much greater riparian damage to these streams than already exist with Option (C) Haul Road?	Riparian damage under the Preferred Alternative, Option C will be only slightly less than either Option A or B, because the existing crossings have to be widened and replaced with culverts to accommodate for fish passage, thereby resulting in additional riparian impacts.  The dimensions of the existing Medco Haul Road fill mound are quite different from those under the Preferred Alternative. The mound will generally be widened and raised in several areas. The roadsides will include stormwater treatment features and all stream crossings will be updated.
112	112-06	David Young	Individual	How is it that new construction involving large amounts of fill and stream bed disruption over the much wider, less well defined marsh drainage of Whetstone Creek does not show in the PSEM and the DEIS estimates which therefore do not reflect the much, much higher riparian damage impact acreages versus the not new, already existing riparian impact of the much shorter existing crossing of Whetstone Creek by Option (C), the Haul Road?	See the response to comment I12-05 above.

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
112	112-07	David Young	Individual	<p><b>3). GOAL 4: INCREASED TRAFFIC DEATHS AND INJURIES OF DOUBLE BEND, "S" CURVE, FROM EITHER (A) or (B) DESIGN but not Option (C):</b></p> <p>Either Options (A) or (B) designs would result in double bend curves, an "S" curve, that would result in higher traffic accidents than the gentle, sweeping single curve of Option (C) Haul Road; why is it the PSEM and the DEIS silent and does not address this issue under Goal 4, SAFETY, (p. 7)?</p>	<p>In all of the options, A, B, and C, the curves are engineered for a design speed of 60 MPH. Those curves in each option would have adequate sight distance, superelevation, and radii for that design speed. Any vehicles being driven in a reasonable and prudent manner will be able to traverse the curves with no difficulty at the posted speed of 55 MPH. In all cases, for those drivers who do not drive in a reasonable and prudent manner or are inattentive, there is always the possibility of an accident. The additional curves under Design Options A and B could potentially provide some additional risk in the case of these drivers. Education and enforcement can reduce this risk, but to quantify and control the additional risk is difficult. The Preferred Alternative, with Design Option C, will avoid the additional risk.</p>
112	112-08	David Young	Individual	<p><b>4). GOAL 2: THE TEMPORARY DESIGN FOR OPTION (C) HAUL ROAD SHOWS VIRTUALLY NO NEW IMPACT ON VERNAL POOLS relative to EXTENSIVE VERNAL POOL IMPACT of (A) or (B) DESIGNS CROSSING WILSON PROPERTY:</b></p> <p>In the temporary design for Option (C) Haul Road, seen in slide 19 of ODOT's report for 5/25/11 and in the DEIS, there is almost no new impact on the high, medium, and low value vernal pools and other wetlands that would be severely disrupted by both designs (A) and (B) comprising many acres of impact on the western portion of the Steve Wilson property; therefore, why is this severe impact of (A) and (B) relative to minimal (C) impact not reflected anywhere in the PSEM and the DEIS as the temporary damage differences between the three options is much, much less damage to no damage in the (C) Option of the Haul Road compared to extensive damage of either design Options (A) or (B)?</p>	<p>At the time the PSEM was developed in May 2011, ODOT was working with a wetland dataset that is now out of date, but was the best information available at the time. Steve Wilson has created a vernal pool complex due to an enforcement action related to past wetland fills. Steve Wilson's wetland mitigation area extends all the way to the proposed right-of-way for the Preferred Alternative.</p> <p>ODOT obtained permission to visit Steve Wilson's property and has updated the vernal pool boundaries. Accordingly, the FEIS includes updated wetland information based on existing conditions. According to Section 3.13.3.1 of the FEIS, incorporating the additional vernal pools on Steve Wilson's property and the design changes that occurred since the development of the DEIS, the project would directly impact 1.4 acres of vernal pools under the JTA phase and 5.1 acres of vernal pools under the Preferred Alternative.</p>
112	112-09	David Young	Individual	<p>In that the eventual design of Option C in phase three, the final build out, to occur somewhere well into the future, is now not known for certain, and the "temporary" design for Option (C) Haul Road clearly has very little impact versus (A) or (B) construction, both of which would have many acres of the highest, medium, and low value vernal pools destroyed on the western portion of the Steve Wilson property, why is this not reflected in the PSEM and the DEIS? There may be other design options for the eventual phase 3 build out to the Hwy 62 bypass through White City that would never impact the high value pools currently spared by Option C but definitely destroyed forever by either (A) or (B).</p>	<p>We believe that the commenters reference to "phase three" refers to the full build-out of the Preferred Alternative. Under NEPA, the entire project must be considered as a whole, regardless of the fact that it may be constructed in phases.</p> <p>Per the response to comment 112-05 above, use of the existing Medco Haul Road berm does not preclude wetland impacts due to the need to raise and widen the road base and incorporate stormwater infrastructure.</p> <p>Section 3.13.3.1 of the FEIS includes updated impact acreages, including impacts to the created vernal pool complex on Steve Wilson's property. The FEIS also includes language to support this comment, namely that under the Preferred Alternative, the proposed roadway will be located on an existing road embankment (the Medco Haul Road Alignment).</p>

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112	112-09 Ctd.	David Young	Individual		As such, construction of the Preferred Alternative will not create a new north/south hydrologic impoundment that has the potential to indirectly affect east/west surface and groundwater flows that support the regional wetland system, including vernal pool complexes. Therefore, the Preferred Alternative will result in the least amount of impacts to high quality wetlands when considering indirect impacts.
113	113-01	Lorieta Pierce	Individual	<p>I have lived in the northern end of the Rogue Valley all of my 63 years and traveled Hwy 62 to visit family, friends, shop and work in the Southern part of the Rogue valley. Being a commuter of the busiest road in the area I have seen it transform from a two lane cement roadway to a four + lane paved road. My main route onto #62 is from Antelope Road to areas in Medford and I have noticed where cars enter and exit the highway. The traffic rolls along steadily until the area starting at Owen Drive, much worse at the Delta Waters traffic light and no less congestion until past the intersection by the Rogue Valley Mall.</p> <p>I went to the meeting on October 17th with an open mind to see how the new proposed bypass road would solve the problem of traffic on the existing road. My concerns are how the new road will connect to the existing highway and will it serve the majority of commuters to ease the congestion. My thoughts are that the proposed expressway would only serve vehicles traveling from Eagle Point north to the I-5 freeway and no one else. The majority of vehicles that enter and exit the highway are in between Eagle Point and I-5 so the expressway would not solve the congestion of Hwy 62.</p>	<p>The Preferred Alternative will include interchanges at Vilas Road and Agate Road, as well as at I-5 and Dutton Road. As a result, the bypass will serve multiple trips within the corridor as well as through the corridor. Traffic coming from White City and from points east along OR 140 will be able to access the bypass at the interchange at Agate Road. Traffic coming from Central Point will be able to access the bypass at the Vilas Road interchange.</p> <p>The bypass will also result in improved travel speeds on existing OR 62 due to some traffic shifting from existing OR 62 to the bypass. Table 3.1-8 shows that the Preferred Alternative will substantially reduce congestion on existing OR 62 and Table 3.1-12 shows that the JTA phase will substantially reduce congestion on existing OR 62 at the intersections with Delta Waters Road, Owens Drive, Coker Butte Road, and Vilas Road.</p>
113	113-02	Lorieta Pierce	Individual	<p>I would like to see the proposed expressway built but used as an arterial road with more entrance/exits to other roads especially around Costco/Sportsman Warehouse and traffic signals at Vilas Road - not an overpass. I like the way it connects to Hwy 62 at Bullock Road and Gregory/Agate but there should be a way to enter and exit both directions onto the existing highway. I would also like to have more traffic lanes on the existing Hwy 62 from Rogue Valley Mall area until past Lithia Motors with more overhead lane signs stating what lane to get in well before needed to make travel smoother.</p>	<p>The intent is for the bypass to provide regional movement, while the existing OR 62 provides for local movement. Restricting access to the bypass allows it to be a higher-speed, regional roadway. Building the bypass as an arterial with intersections near the Costco and Sportsman's Warehouse would be inconsistent with the intended function of the bypass.</p> <p>In conjunction with the JTA phase, ODOT will transfer to the City of Medford jurisdiction of existing OR 62 north of the southern terminus interchange of the bypass with existing OR 62 to the northern border of the city limits. Adding lanes and signs will be matters for the City of Medford to determine and are outside the scope of the OR 62: I-5 to Dutton Road project. This comment has been forwarded to the City of Medford.</p>

<b>Commenter No.</b>	<b>Comment No.</b>	<b>Commenter</b>	<b>Affiliation</b>	<b>Comment</b>	<b>Federal Highway Administration (FHWA) Response</b>
<b>I14</b>	I14-01	Terry Ricketts	Individual	I appreciate the carefulness you have followed in coming to this proposal. Building the road through mostly vacant farmland lessens the impact on homes and businesses, both in land acquisition and during building. This has been needed for a long time, and I look forward to its completion, especially since we will be moving to Eagle Point!	Your support for the Build Alternative is acknowledged and included in the project record.
<b>I15</b>	I15-01	Carol Palmer	Individual	I am very concerned about the impact on the birds that inhabit, or spend portions of the year at Denman Wildlife Area and surrounding locale.	See the response to comment 01-03.
<b>I16</b>	I16-01	Deborah Wallace	Individual	Our roads here are just fine; it's the "bad drivers" that need improving either thru heavy fines or license suspension. More roads + OR 62: I-5 to Dutton Rd will not make our road situation better until drivers behave better.	While it is acknowledged that there is a wide range of ability among drivers on Oregon roads, it is the responsibility of ODOT to provide roadways that minimize the opportunity for driver error to result in a crash. One of the problems that this project seeks to address is the combination of heavy volumes and frequent driveway accesses along existing OR 62 that creates a dangerous situation for drivers of all abilities. There are limitations to what can be done to correct "bad driving." ODOT seeks to minimize risk on all of its roadways through design standards and access management. Analysis by traffic engineering experts indicates that the OR 62: I-5 to Dutton Road project will improve safety conditions.
<b>I16</b>	I16-02	Deborah Wallace	Individual	Please make OR 62: I-5 to Dutton Road a toll road, if it is built.	Tolling is infeasible where there are un-tolled parallel routes. Existing OR 62 and Table Rock Road will be un-tolled parallel routes.
<b>I16</b>	I16-03	Deborah Wallace	Individual	No matter which plan is constructed the result is going to be a bigger "mess" than we have now at "Peak times." I would rather have more traffic patrols; maintain the roads we already have; expanded mass transit with park + ride lots; a bigger jail for traffic offenders; large truck deliveries in very early am. I worked the night shift in one of our Medford hospitals for 22 yrs; what a great dream drive to + from work! To connect from Eagle Point to I-5 I use Kirtland Rd + it's good too unless there are too many "Bad drivers."	The Preferred Alternative and the JTA phase will substantially reduce congestion on existing OR 62 by diverting a portion of the traffic to the new bypass during the PM peak period. See Tables 3.1-8 and 3.1-12 of the FEIS. The alternatives analysis examined a wide range of alternatives, including a route following the Kirtland Road corridor (OR 140 west of White City to I-5). This alternative would have resulted in minimal reduction in volumes on OR 62 in the study area.  It is acknowledged that increased transit service is needed in the corridor. The OR 62 Transit Study developed a set of recommended projects to improve sidewalks, pedestrian crossings, and bicycle infrastructure in the project area to provide improved access to transit in the corridor. The Rogue Valley Transportation District is primarily responsible for the provision of public transit in the project area.



Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
<b>I16</b>	I16-04	Deborah Wallace	Individual	Also; pedestrians + Bike riders need to behave better. Staying alive and getting where we all want to go requires consideration for each other and following our existing laws.	It is acknowledged and agreed that better behavior on the part of all road users would improve safety for everyone.
<b>Business Comments</b>					
<b>B1</b>	B1-01	Lisa Shipley	Sullivan and Shipley LLC	We would prefer the SD Plan over the DI Plan. We would like to see the small business NE of Poplar to stay in business for their family's future please consider this when you come to your final conclusion. These business need access to Hwy 62 to stay a vital business.	Your support for the SD Alternative is acknowledged and included in the project record. The SD Alternative has been identified as the Preferred Alternative and more effectively preserves access to existing OR 62 for businesses in this area. Minimizing impacts to individual properties and business accesses is an important consideration as the design of this project continues.
<b>B2</b>	B2-01	Casey Jones	TEC Equipment, Inc.	Need exit at East Vilas to minimize traffic congestion on Hwy 62.	See the response to comment I3-02.
<b>B3</b>	B3-01	Brian Farrer	FM Investments	<p>I have been advised that the environmental impact phase includes not only issues relating to environmental impact but also general concerns from those impacted by the proposed bypass.</p> <p>As the owner of the building located on the northeast corner of Vilas Road and Industry Drive our concerns relating to the proposed bypass include, but are not limited to the following:</p> <ol style="list-style-type: none"> <li>1. Loss of economic value of property relating to the creation of a cul-de-sac whereby said corner property, with direct access to Vilas Road would terminate. As it relates to 4900 Industry Drive, this proposal would greatly affect the value particularly when considering one of the most important indicators of property value; Location, Location, Location.</li> </ol>	<p>It appears that this comment is in reference to the property in the southeast quadrant of the intersection of Vilas Road and Industry Drive. The current connection between Industry Drive and Vilas Road will be closed under the Preferred Alternative. Access to properties along Industry Drive will be provided via an extension of Enterprise Drive between Industry Drive and Airway Drive that will be constructed as part of the project. This connection was not shown on Figure 3.3-4 of the DEIS, but is shown in Figure 3.3-4 FEIS. The JTA phase will not affect access to properties on Industry Drive. The Preferred Alternative is not expected to be constructed until approximately 2023.</p>
<b>B3</b>	B3-02	Brian Farrer	FM Investments	<ol style="list-style-type: none"> <li>2. Loss of part of the property containing the bulk of parking allocated for my tenants' units.</li> </ol>	<p>According to right-of-way analysis conducted as part of the DEIS, the Preferred Alternative will result in acquisition of a portion of this property. It appears that the amount of parking removed will not result in inability of businesses located on this property to continue to operate. If, during right-of-way negotiations, it is determined that businesses will not be able to operate on this parcel as a result of the project, ODOT would compensate for actual damages incurred. This will be determined during right-of-way negotiations with the property owner. As stated above under comment B3-01, the Preferred Alternative will not be constructed until approximately 2023. When property acquisition for the Preferred Alternative will occur is unknown. This property will not be acquired for the JTA phase. Any property acquired by ODOT for the project will be purchased at fair market value.</p>

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
B3	B3-03	Brian Farrer	FM Investments	3. Loss of rentable space and the demolition of said space to accommodate the loss of parking.	Response for B3-02 applies here as well.
B3	B3-04	Brian Farrer	FM Investments	4. Loss of property value relating to the reduction of rentable space and the subsequent rental income.	As stated above under comment B3-02, ODOT will compensate for any direct loss of property. Loss of value due to reduction in rentable space will be included in the right-of-way negotiation process with the property owner. Any loss of property value due to either reduced rentable space or changed access would likely be offset by an increase in property value as a result of proximity to the bypass interchange at Vilas Road.
B3	B3-05	Brian Farrer	FM Investments	In addition, as of this moment, based on information included on the OR 62: 1-5 to Dutton Road CD, I still do not understand the ingress / egress replacement proposal. In other words, what road does Enterprise Dr. connect to?	See the response for comment B3-01. Enterprise Drive will be extended west to Airway Drive as part of the project in order to provide access for properties on Industry Drive.
B4	B4-01	Michael Montero	Montero & Associates (representing Lakewood Center Group)	This firm represents the Lakewood Center Group located in White City, Oregon. Lakewood Center is located at the Southeast corner of the intersection of OR 140 and OR62.  Section 3.3.4 of the OR62: 1-5 to Dutton Rd. Draft Environmental Impact Analysis provides that the proposed plan seeks to avoid and minimize adverse impact, where possible, to existing businesses. While the OR62: 1-5 to Dutton Rd. project poses no direct impact on Lakewood Center right of way, Lakewood Center wants to be of record that future traffic could produce adverse impacts to the sustainability of the regional commercial center which serves the residents of the greater White City area.	This comment does not directly address the OR 62: 1-5 to Dutton Road project. However, ODOT is aware of the potential for future traffic to have adverse impacts on this regional commercial center and will work with the property owner(s) if this becomes a problem in the future. Inclusion of this comment in the record for the OR 62: 1-5 to Dutton Road Project makes the comment part of the public record.
B4	B4-02	Michael Montero	Montero & Associates (representing Lakewood Center Group)	The Lakewood Center owners have for many years cooperated with ODOT to ease OR62 traffic access issues in the vicinity of the Center. In 2008 Lakewood Center partners entered into an agreement <sup>1</sup> with ODOT to refine the center's access to Highway 62 to improve public safety and relieve congestion. An element of this agreement provides for full movement access onto Oregon Highway 140. This access is critical for the viability of this regional retail facility.  Under current conditions, the OR 140 access to the Lakewood Center's performs satisfactorily. However, OR 140 and 62 traffic is projected to increase in future years. As OR140 trips increase, future left turn movements from the Lakewood Center onto OR 140 could become occluded by queues backing up on OR 140 waiting for green time to turn left onto southbound OR62. Should this condition develop the function of this critical access provided for in the agreement with ODOT, referred to herein, could become compromised.	This comment does not directly address the OR 62: 1-5 to Dutton Road project. Construction of OR 62/140 safety improvements is scheduled to begin in 2014, per project 17471 on p. 209 of the Statewide Transportation Improvement Program, which is at <a href="http://www.oregon.gov/ODOT/HWY/STIP/Pages/2012-2015_STIP.aspx">http://www.oregon.gov/ODOT/HWY/STIP/Pages/2012-2015_STIP.aspx</a> . This project will include the following:  Westbound Approach <ul style="list-style-type: none"> <li>• A dedicated-left turn lane</li> <li>• A dedicated through lane</li> <li>• A dedicated right-turn lane</li> </ul> Eastbound Approach <ul style="list-style-type: none"> <li>• A shared through and right-turn lane</li> <li>• A dedicated left-turn lane.</li> </ul>



Commenter No.		Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
B4		B4-02 Ctd.	Michael Montero	Montero & Associates (representing Lakewood Center Group)	<p>During the Highway 140 Corridor Planning process, a future mitigation concept; a westbound OR140 double left turn lane configuration for left turn movements to accommodate southbound OR62 trips was discussed. A funded OR140/OR62 STIP project (Key # 17471) is planned for construction in the next few years. It is our present understanding that sufficient right of way exists for construction of such a configuration.</p> <p>On behalf of our client Lakewood Center, we respectfully request that this proposed configuration be considered when evaluating the planned improvements to the intersection of OR140 and OR62 to protect the center's critical access.</p> <p><sup>1</sup> See ODOT File # 6023028</p>	<p>It is anticipated that this configuration will provide adequate capacity for intersection operations and that queues will not block the access for Lakewood Center.</p>
B5		B5-01	Mark and Brenda Dewey	Commercial building located at 2584 Bullock Rd	<p>My wife and I are part owners of the building located at 2584 Bullock Rd Medford OR 97504 – The proposed Road will highly impact our business. We run and manage the commercial property. The property has a 5760 Square foot building on it that is leased to two separate companies and there is a 52 mini storage facility in the back of the property. This income is our parents retirement income money as well as our future income and will have an impact on our ability to have a business.</p>	<p>Comments B5, B6, and B7 express concern about the impact of project alternatives on the property at 2584 Bullock Road in Medford. This property has been labeled on FEIS Figures 3.3-3a FEIS and 3.3-9 FEIS. The comments express concern about possible displacement of the buildings that occupy the site, impacts on access to the site, and impacts on traffic volumes by the site.</p> <p>The JTA phase will not acquire any land from the property or have displacement impacts, and would not alter driveway access to or egress from the site. Routing to the property would remain similar to existing conditions. Forecasted 2015 traffic volumes on Bullock Road near the property are 10,300 under the No Build Alternative and 10,700 under the JTA phase. Forecasted 2035 traffic volumes on Bullock Road near the property are 12,500 under the No Build Alternative and 13,700 under the JTA phase.</p> <p>The preliminary assessment of right-of-way impacts prepared for the DEIS concluded that the Preferred Alternative will require the removal of the 12 south-facing units of the self-storage buildings at the rear of the property. The assessment also concluded that access to the building at the front of the lot and to the storage buildings will remain viable. If the Preferred Alternative were built, it would not alter driveway access or egress at the site and routing to the property would remain similar to existing conditions. Forecast 2015 and 2035 traffic volumes on Bullock Road near the property under the Preferred Alternative are similar to under the JTA Phase, as provided above.</p> <p>If, when the Preferred Alternative is designed and right-of-way is acquired, the preliminary assessment of impacts is found to be correct, the owner will be compensated for the loss of the 12 storage units</p>
B6		B6-01	Brenda Dewey	Commercial building located at 2584 Bullock Rd	<p>I run the mini storage facility located at 2584 Bullock Rd Medford OR 97504 and help manage the commercial building with my husband. This is part my future property and my parents own it outright. We ran a successful sheet metal company from this property for many years. The building is Leased out to a delivery service and an Auto body repair shop. We have a good income from this and the funds we receive are my parents retirement money as well as an income for me and my husband who manage the mini storage's. This road improvements will defiantly impact our property. Our immediate concern is the traffic flow to our mini storage's will be easy to access from Bullock Rd. and In the future if the by pass off I5 goes through it will completely take the property away from our family and impact our ability to have a business and income for our future.</p>	
B7		B7-01	Bill and Sue Beck	Commercial building located at 2584 Bullock Rd	<p>We own 2584 Bullock Rd and the proposed road will effect our business. The building and Mini storage is our livelihoods and our retirement money for all of our life's work. We are very concerned about the impact this road will have on our currant traffic and our future.</p>	

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
B7	B7-01 Ctd.	Bill and Sue Beck	Commercial building located at 2584 Bullock Rd		and the land acquired and reimbursed for the cost of demolishing the units and restoring the south face of the two storage buildings. The owners of the contents of occupied storage units will also be eligible for assistance with the cost of relocating the contents.
<b>Organization Comments</b>					
01	01-01	Pepper Trail, Robert Mumby, William Hering	Rogue Valley Audubon Society	<p>The Rogue Valley Audubon Society (RVAS) is a chapter of the National Audubon Society with over 600 members in Jackson County. Our mission is to be a voice for education and conservation in the natural world. Our members are active birders, naturalists, hikers, and photographers, and we are devoted to the protection of wildlife habitat in our region. We have a particular interest in the Denman Wildlife Area, where RVAS conducts monthly field trips, and which is heavily visited by our members, since the area includes some of the most intact wildlife habitat in the vicinity of Medford.</p> <p>As all Medford residents know, traffic congestion on Hwy 62 between I-5 and the VA Dam is a chronic problem. This is an entirely predictable consequence of all the "big-box" development that has been permitted along that stretch. Various solutions have been under discussion for years, and now ODOT has come up with a detailed proposal for public comment. The cost of the total project is projected to approach \$500 million. That's right, half a billion dollars.</p> <p>There are many issues that could be discussed with relation to this project in relation to sprawl, inadequate urban planning, skewed budgetary priorities, excessive dependence on automobiles, etc. However, these comments are limited to the single impact of most direct concern to members of the Rogue Valley Audubon Society: how the project could affect the Denman Wildlife Area.</p> <p>The northern portion of the proposed bypass would take the route of Agate Road along the edge of Denman. In the words of the ODOT draft environmental impact statement (DEIS), "the bypass would follow the Agate Road right of way along the east side of the Denman Wildlife Area and into White City, displacing Agate Road between Gregory Road and Avenue G. North of the Denman Wildlife Area, the bypass would ascend onto a fill slope and cross over Antelope Road and Avenue G on overpasses. North of Avenue G, the bypass would be located on a structure ... After crossing Avenue H, the bypass would curve east, return to ground level, follow the Dutton Road right of way, and terminate in an interchange with existing OR 62 ... Dutton Road would be realigned and run parallel to the bypass" (DEIS, p. ES-29).</p>	Responses are located adjacent to the text containing comments.

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
01	01-01 Ctd.	Pepper Trail, Robert Mumby, William Hering	Rogue Valley Audubon Society	<p>The most direct impact would be the relocation of the existing parking area and hunters check station at the ponds along Agate Road: "Although neither alternative would require any land in the Denman Wildlife Area for roadway use, the displacement of Agate Road would require closing an existing Denman parking lot on the west side of Agate Road. To mitigate for this parking lot closure, ODOT would build a new parking lot off of 11th Street and provide directional signage to guide visitors to the new parking lot. ODOT would also restore the site of the existing parking lot for wildlife habitat. There would be no net loss of habitat and the new parking lot would provide similar access to the ponds and hunting areas in the eastern portion of the Denman Wildlife Area." (DEIS, p. ES-48).</p> <p>The bypass, with its associated heavy traffic, would run along the east border of the Hall Tract, and swing to the right just before the gated access point to the Military Slough Tract at Touvelle Road. In the words of the DEIS, "The project footprint, at its closest, comes within approximately 90 feet of the southeastern corner of the Military Slough Tract but the project footprint would not directly impact the Military Slough tract". (DEIS, p. 3-159). Having stated that Military Slough would not be impacted, ODOT does not discuss this area further. However, ODOT estimates that average traffic on the bypass segment north of Agate Road will be over 20,000 vehicles per day by 2015 (DEIS, Table 3.1-4).</p> <p>ODOT considers that all the impacts to Denman will be <i>de minimis</i>. "De minimis" impacts on publicly owned parks, recreation areas, and wildlife refuges are defined as those that do not "adversely affect the activities, features and attributes" of the resource." (DEIS, p. 3-170).</p> <p>It is hard to accept the flat assertion that 20,000 vehicles per day – with their noise, emissions, and lights at night- passing along the edge of the Hall Tract and less than 100 feet from the Military Slough Tract – would have no impact on Denman and its value as wildlife habitat.</p>	<p>The Section 4(f) <i>de minimis</i> finding is made under the Department of Transportation Act of 1966. Such a finding does not mean a project would have no impact. The Oregon Department of Fish and Wildlife (ODFW) concurred with the Section 4(f) <i>de minimis</i> finding for the Denman Wildlife Area. Prior to FHWA making the Section 4(f) <i>de minimis</i> determination, the RVAS comments and consultation with ODF&amp;W were considered. FHWA determined that the impacts as described meet the level of a <i>de minimis</i> impact. FHWA's Section 4(f) <i>de minimis</i> impact for the Denman Wildlife Refuge is included in Appendix E of this FEIS.</p>
01	01-02	Pepper Trail, Robert Mumby, William Hering	Rogue Valley Audubon Society	<p>Finally, it must be noted that the bypass will terminate on a realigned Dutton Road, which the project maps show as cutting immediately adjacent to Dutton Pond. Although Dutton Pond is not part of Denman, RVAS birders know it as excellent habitat for aquatic and marsh birds, and this would almost certainly be degraded by this project.</p>	<p>As stated in the response to the next comment, literature on the impacts of highways on birds indicates that the bypass could have impacts on birds where it is adjacent to the Hall Tract of the Denman Wildlife Area. However, the literature does not indicate that the bypass will degrade the habitat at Dutton Pond, which is about 300 feet away from the alignment.</p>

Commenter No.	Comment No.	Commenter	Affiliation	Comment	Federal Highway Administration (FHWA) Response
01	01-03	Pepper Trail, Robert Mumby, William Hering	Rogue Valley Audubon Society	Several of the birds using the Hall and Military Slough Tracts are shy species known to have low tolerance for noise and disturbance, including American Bitterns and Virginia and Sora Rails. The extensive marshes at Denman- required for the nesting of these species - are the last surviving remnant of this habitat in the valley, as the rest has all been eliminated by development. Simply because the proposed Hwy 62 bypass will not pave under these marshes does not mean that the impact of this project will not be insignificant. The value of this habitat to wildlife is likely to be heavily degraded by the Hwy 62 bypass.	Literature on the impacts of highways on birds indicates that the highway could have impacts on birds and that measures can be taken to mitigate these impacts. Adverse impacts can include mortality (e.g., from vehicles hitting birds flying across a road or scavenging on road kill), habitat fragmentation (e.g., making a habitat parcel too small to provide a complete territory), and disturbance (e.g., noise and lights interfering with breeding). Mitigation measures can include avoiding plantings that encourage birds to cross travel lanes to reach food or cover and removing road kill. The JTA phase will not be close to either the Hall or Military Slough Tracts and so will not impact birds using them. The Preferred Alternative is not expected to be built until about 2023. When the Preferred Alternative is designed, ODOT will work with the Rogue Valley Audubon Society to incorporate measures to avoid and mitigate impacts on birds where the bypass is adjacent to the Hall Tract. The portion of the Preferred Alternative near the Military Slough Tract is currently not funded. When funding is secured for this portion of the project, and ODOT begins to refine the design, ODOT will work with the Rogue Valley Audubon Society to consider incorporation of reasonable measures to avoid and mitigate impacts on birds where the bypass is near the Military Slough Tract.
01	01-04	Pepper Trail, Robert Mumby, William Hering	Rogue Valley Audubon Society	We request that the final EIS include a much more detailed analysis of the impact of disturbance, noise, and pollution on the wildlife habitat values the Hall and Military Slough Tracts, and include specific mitigation strategies. Based on the very limited consideration of these issues in the DEIS, a <i>de minimis</i> conclusion regarding these impacts cannot be justified.	As stated in the response to comment 01-03, ODOT will work with the Rogue Valley Audubon Society to consider incorporation of reasonable measures to avoid or mitigate impacts on birds. As stated in the response to comment 01-01, a Section 4(f) <i>de minimis</i> finding under the Department of Transportation Act of 1966 does not mean a project would have no impact.

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## **DEIS Comments as Originally Received**

# Jackson County Fire District 3

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To: Anna Henson  
Environmental Project Manager  
ODOT – Region 3

From: Jeff Bontemps  
Deputy Chief of Operations  
Jackson County Fire District 3

Subject: Comments Regarding OR 62: I-5 to Dutton Road Project

Date: October 4, 2012

The purpose of this memo is to formally document the comments, concerns, and recommendations that Battalion Chief Greg Winfrey and I expressed to you, Dick Leever, and Brian Sheadel during our meeting on September 20, 2012.

## Hwy 62 By-pass from Poplar Road to Agate Road

### Comment A1-01

- Double cul-de-sac on Justice Road: As agreed in our meeting, ODOT will provide emergency vehicle access from the west-side of the Hwy 62 By-pass directly onto Justice Road. This access will allow 24/7 emergency access to the residences that populate Justice Road and Peace Lane. This access will include the following essential components:
  - An improved approach road that will allow emergency vehicles to fully exit all lanes of travel and the shoulder/bike lane.
  - An automatic gate (open upon siren activation) at the termination of the approach road and the cul-de-sac at Justice Road.

### Comment A1-02

- Vilas Road Interchange: The current design of the Hwy 62 By-pass is such that emergency vehicle access for the entire length of the by-pass can only occur at Poplar Drive on the south-end and Agate Road on the north-end. The unfortunate consequence of this limited access is that Medford Fire and Rescue will be required to mitigate all emergency incidents that occur in the northbound lanes of the by-pass to include those occurring within the jurisdictional boundaries of District 3, and in a similar fashion District 3 will be required to mitigate all emergency incidents occurring in the southbound lanes; including those that occur in the City of Medford. The only viable solution that will remedy this situation is the construction of an interchange at Vilas Road. District 3



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strongly encourages ODOT to consider the construction of this interchange as being the *first priority* project for future by-pass improvements.

**Phase 2 – Hwy 62 By-pass from Dutton Road to Agate Road**

- Comment A1-03** ■
- Viaduct over Agate Road: As Greg and I expressed to you and your team, Jackson County Fire District 3 has serious concerns regarding the impacts of having a multi-lane viaduct fronting the District’s administration/ fire station/training campus at the 8300 block of Agate Road. Although the viaduct is conceptual in nature; with a build date possibly two to three decades into the future, the District anticipates the following impacts:
    - Encroachment onto District property (easement issues/loss of property).
    - Access onto Agate Road (traveling north and south).
- Comment A1-04** ■
- Comment A1-05** ■
- Increase in response times to areas that are normally accessed by responding south on Agate Road from Avenue G.
- Comment A1-06** ■
- Increase in traffic noise.
- Comment A1-07** ■
- All of the challenges associated with mitigating traffic emergencies (motor vehicle collisions, vehicle fires, hazardous material incidents, etc.) that occur on the viaduct.
- Comment A1-08** ■
- Limited access on-to and off-of the viaduct.

Thank-you again for taking time out your busy schedule to meet with Greg and me on this very important topic. It was a genuine pleasure meeting each of you. Please give me a call at 541-831-2754 if you have and questions or concerns regarding this memo.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ECOSYSTEMS,  
TRIBAL AND PUBLIC  
AFFAIRS

October 29, 2012

Mr. Chris M. Bucher, Operations Engineer  
Federal Highway Administration  
530 Center Street NE, Suite 420  
Salem, Oregon 97301

Ms. Anna Henson, Environmental Project Manager  
Oregon Department of Transportation, Region 3  
100 Antelope Road  
White City, Oregon 97503

The comments contained in this cover letter summarize the detailed comments, which begin on page 4. The Detailed Comments are referred to in Table 7-10

Re: OR 62: I-5 to Dutton Road Draft Environmental Impact Statement.  
(EPA Region 10 Project Number: 12-0045-FHW)

Dear Mr. Bucher and Ms. Henson:

The U.S. Environmental Protection Agency has reviewed the OR 62: I-5 to Dutton Road Draft Environmental Impact Statement. We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. Thank you for the opportunity to offer comment.

FHWA and ODOT propose to reduce congestion and improve safety by constructing a new 7.5-mile, four-lane, access-controlled expressway to serve as a bypass of existing OR 62 from Medford to north of White City in Jackson County, Oregon. The project would include the bypass, four interchanges, alterations to local streets and roads, including extensions and closures, and one new, two-lane local road, the Justice/Gregory connector road, to accommodate the bypass.

The Draft EIS presents the No Build and two Build Alternatives: the Split Diamond (SD) Alternative and the Directional Interchange (DI) Alternative. The DEIS also analyzes the JTA Phase, an initial phase that ODOT plans to construct using funds earmarked for the OR 62 project in the Jobs and Transportation Act enacted by the Oregon Legislature in 2009. The JTA Phase will extend only to the southern boundary of White City, where it will connect to existing OR 62 at an intersection rather than an interchange. Three design Options (A, B, and C), which attempt to reduce impacts to natural and socio-economic resources, regulated natural resources, and adjacent businesses and landowners respectively, apply to each of the build scenarios. The DEIS does not identify a Preferred Alternative, however, it states that ODOT and the Citizen Advisory Committee recommend building the SD Alternative with Option C.

We acknowledge the stated needs for the project and appreciate the forthright manner in which the DEIS discloses the many environmental impacts the proposed project would entail. We also appreciate the early and continued involvement in the project through the Collaborative Environmental and

Transportation Agreement on Streamlining (CETAS) process, which has been helpful in efforts to identify, avoid, and minimize impacts to sensitive resources, such as vernal pool wetlands, and to develop acceptable mitigation. We are rating the Draft EIS as EC-2, Environmental Concerns, Insufficient Information. An explanation of this rating and our detailed comments are enclosed. Our main concerns and information needs include the following:

- The project would result in substantial direct and indirect loss and fragmentation of sensitive natural areas and resource lands, including vernal pools and other wetlands, threatened and endangered species habitat, non-ESA wildlife habitat, farm, forest, and open space lands. Alterations to hydrology from these ecosystem alterations may result in additional impacts, such as to vernal pool wetlands, which cannot yet be assessed.
- The direct and indirect effects to natural ecosystems and land use both inside the project area and in outlying communities would be substantially less with the JTA Phase and Option B than with other Alternatives and Options. Limiting the project scope to the JTA Phase with Option B, together with additional local and regional planning and collaboration, could advance the livability and sustainability of the OR 62 project area, and help to protect outlying communities and natural areas from induced travel and growth.
- The ODOT recommended alternative is SD with Option C. The DEIS does not make the case as to why the SD alternative is superior to the DI alternative either in meeting the project's purpose and need, or in reducing overall impacts. The EIS should include analysis to identify the least environmentally damaging practicable alternative, per the 404(b)(1) guidelines. We note that impacts to Bear Creek Greenway, which are Section 6(f) lands and a riparian area that is important for Bear Creek water quality functions and habitat for threatened coho salmon, appear to be avoidable with the DI Alternative or JTA Phase.
- The EIS should provide more specific information regarding mitigation strategies for impacts to vernal pools, fairy shrimp, and endangered plant species, and discuss the likelihood of implementation and success.
- Ecological connectivity is addressed only via fish passage structures. We believe stream crossings and other roadway structures should be suitably located and designed to provide for terrestrial species movement as well, with special focus on meeting the needs of elk and Northwestern pond turtle, as identified through ODFW conservation planning.
- The EIS would be strengthened by addressing alternatives to driving and transportation demand management strategies. The project should incorporate needs and provision for improved public transportation, and do more to increase non-motorized transportation infrastructure, community connectivity, bicycle/pedestrian safety, and smart community design.
- The EIS needs to disclose what was heard from Environmental Justice outreach and how the concerns were addressed. Unmitigated noise impacts are of concern, as well as the potential for disadvantaged populations to be more adversely affected by project impacts than less vulnerable populations. More analysis of impacts and mitigation are needed for the disabled, elderly, children, and households without cars that may be isolated by the proposed project.
- The EIS should identify sensitive receptors for air toxics that could be affected by project construction and operation, and augment construction mitigation measures.

Thank you for the opportunity to review and provide comment on the OR 62 Draft EIS. If you have questions or would like to discuss these comments, please contact me at (206) 553-1601 or by email at [reichgott.christine@epa.gov](mailto:reichgott.christine@epa.gov), or you may contact Elaine Somers of my staff at (206) 553-2966 or by email at [somers.elaine@epa.gov](mailto:somers.elaine@epa.gov), or you may contact Yvonne Vallette in our Oregon Operations Office at (503) 326-2716 or by email at [vallette.yvonne@epa.gov](mailto:vallette.yvonne@epa.gov).

Sincerely,



Christine B. Reichgott, Manager  
Environmental Review and Sediment Management Unit

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**U.S. Environmental Protection Agency  
Detailed Comments on the  
Oregon 62: I-5 to Dutton Road Draft EIS**

**Comment A2-01**

**Preferred Alternative**

For several years, the EPA has worked with FHWA, ODOT, and other agencies to address OR 62 aquatic and other environmental resource issues through the CETAS process. As a result of this involvement, CETAS representatives are familiar with the project history and efforts to inventory, assess, avoid, and otherwise mitigate impacts to sensitive resources, imperiled species and habitats. Design Option B was developed for this reason, in response to resource agency concerns and the need to avoid high value habitats. ODOT has also been developing means to mitigate unavoidable impacts to vernal pools, such as, transplanting fairy shrimp and endangered plants, and is establishing a mitigation bank to preserve off-site vernal pools. The EIS would benefit from having more detailed discussion of these mitigation strategies.

Our concern is that we believe the ODOT recommended alternative, SD with Option C, would not avoid and minimize impacts to aquatic resources to the extent practicable and available within the range of alternatives and design options available. In addition, the DEIS does not show that Alternative SD with Option C is, in fact, the least environmentally damaging alternative (LEDPA) in accordance with the 404(b)(1) guidelines. Regarding the Design Options, Option B lies close to the existing urban growth boundary and infrastructure while Option C lies farther west. The most significant difference between them seems to be the potential indirect impacts that could occur to wetlands between existing roadways and the new alignment from induced development and fragmentation.

Based on the information provided in the DEIS and in light of the unresolved issues regarding land use goal exceptions, the JTA Phase with Option B appears to be a more prudent and less damaging course of action. Though it isn't presented as a "Build" alternative in the DEIS, it is a viable and reasonable approach to address current and reasonably foreseeable needs. Rather than commit to the SD or DI Alternatives, the need for which is based on uncertain future traffic projections, we suggest constructing the JTA Phase and determine whether traffic conditions, land use changes, and local/regional livability goals support further construction.

*Recommendations:*

- Select the JTA Phase with Option B as the preferred alternative in the Final EIS and Record of Decision.
- Continue to examine the alignments to discern where additional impacts avoidance can be achieved.
- Visit the Green Highways website at <http://www.greenhighwayspartnership.org/> for more ways to mitigate project impacts.
- In the Final EIS, provide more specific information regarding mitigation strategies for impacts to vernal pools, fairy shrimp and endangered plant species, and discuss the likelihood of implementation and success.

## Comment A2-02

### Ecological Connectivity

We appreciate that fish passage would be improved by replacing up to 12 non-fish passable culverts with fish passable culverts in the project area. As stated in the DEIS, these culverts may provide passage for small animals as well, but there is no indication that they would be suitably designed for this purpose. We are concerned that there are no clear provisions for safe passage of small terrestrial species, and none for large animals, such as, elk. In addition, the DEIS mentions no plan to include fencing to prevent wildlife from entering the roadway and to funnel them to safe wildlife crossing structures. These elements can best be provided by augmenting the plans for fish passage structures to accommodate safe passage for small, medium, and large terrestrial species as well.

Hydrological connectivity is also essential, particularly to increase the likelihood that vernal pool and other wetland hydrology will be maintained. The EIS should address how this would be accomplished throughout the project area, both for the bypass alignment and the new and modified local roads and streets.

#### *Recommendations:*

- Augment fish passage structures/designs to also accommodate safe passage for area wildlife species, with special focus on the needs of elk and Northwestern pond turtles as identified by ODFW conservation and habitat linkage plans. Include needed fencing.
- Identify and provide for effective hydrological connectivity zones in project design for the bypass and affected local roadways to support the hydrological integrity of vernal pools and other wetland habitats in the project area.

## Comment A2-03

### Need for Transportation Alternatives

The DEIS indicates that only 40% of the traffic in the OR 62 project corridor is through traffic; 60% is local traffic. Land use and access are auto-dependent, transit service is limited, non-motorized infrastructure, bike/pedestrian safety features, and transportation demand management strategies are lacking. Some sidewalks would be added to local street revisions, and the proposed bypass would allow bicyclists and pedestrians to use the highway shoulder, but this raises safety concerns more than it alleviates dependence on automobiles.

Aspirational plans for bike trails in the area indicate there is clearly interest in and need for improving non-motorized infrastructure, safety, accessibility, connectivity, walkability, and livability within the project area. The DEIS indicates (p. 2-36, 37) that ODOT will consider incorporation of transit and transportation demand management strategies into the preferred alternative as appropriate, but the DEIS presently does not include any such strategies. The proposed project should include more multi-modal features to serve local travel needs, extend the useful and effective life of the JTA Phase solution, increase transportation choices, particularly for disadvantaged populations, and mitigate impacts to community cohesion that would result from the bypass.

#### *Recommendation:*

In the Final EIS, include provisions for improved transit service, dedicated bike/pedestrian trails, routes, and facilities, and TDM strategies. Ensure that siting of the bypass and new proposed local roads and street revisions do not frustrate or preclude plans for future bike trails and non-motorized networks. For example, consider whether the Medco-Haul Road/railway bed might better serve as a bike trail than a roadway; avoid potential project impacts to the Bear Creek Greenway; and consider the effects of the various Design Options on other future planned bike trails in the project area.



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**Comment A2-04****Environmental Justice, Vulnerable Populations**

The DEIS discusses outreach to low income and minority populations in the project area but, except for the Spanish-speaking residents of White City who expressed need for community cohesion, the EIS does not disclose what was heard or how the concerns were addressed. The EIS states there is no disproportionate impact to low income and minority communities because the fourteen areas where there are high concentrations of low income/minority populations are interspersed with non-low income/minorities. However, the EIS does not address the potential for disadvantaged populations, which also include the elderly, disabled, and children, to be more severely affected by project impacts than less vulnerable populations. Concerns include impacts to community cohesion, isolation/access and mobility limitations for the disabled and those who do not drive; unmitigated noise impacts and its effects on quality of life, project area schools and learning environments; increased exposure to vehicular emissions including air toxics and diesel exhaust from project construction, operations, and maintenance; traffic and safety impacts from construction; de-valuation of homes affected by these impacts; and more.

**Recommendations:**

- In the Final EIS, fully disclose what was heard from outreach to disadvantaged populations and how project proponents are responding to the concerns. Consider the array of impacts and their potential disproportionate severity on disadvantaged and vulnerable populations, and provide means to mitigate these effects. Where noise walls are not feasible, implement alternative mitigation to alleviate noise and visual impacts, such as, increasing buffers, planting trees and shrubs, installing solid wall fencing, or installing insulation and multi-pane windows in homes.
- Provide mitigation for access and mobility impacts to elderly and disabled populations, particularly near the northern and southern termini of the proposed bypass. For example, consider local shuttles, walkways, ADA accessible pedestrian over and underpasses, and other amenities.

**Comment A2-05****Air Quality, Air Toxics**

The DEIS states (p. 3-295) that the additional travel lanes contemplated as part of the project alternatives would have the effect of moving some traffic closer to nearby homes, schools, and businesses, resulting in localized areas where ambient MSATs could be higher under certain build alternatives, but that this could be offset due to increases in speeds and reductions in congestion. This conclusion does not address the statement on p. 3-295 of the DEIS, that diesel emissions are an exception to this. Emissions of and exposure to diesel exhaust would increase. The EIS should acknowledge this, identify the receptors in the project area that would most likely be affected, and disclose the higher relative health risks to these receptors. The EIS should also note that the most sensitive receptors include children, the elderly, and those with respiratory conditions. Locations where concentrations of these populations would be expected include schools, daycare centers, senior centers, hospitals, medical facilities, outdoor recreation areas, and parks.

**Recommendation:**

Clarify the discussion in the EIS regarding elevated diesel emissions that would result from the build alternatives. Identify the sensitive receptors and locations in the project area that would experience elevated exposure to air emissions from project construction, operation, and maintenance.

## Comment A2-06

**Construction Emissions.** We appreciate the air quality construction mitigation measures listed in the DEIS, p. 3-298. The EIS states that ODOT's standard specifications in Section 290.30 would apply during project construction. It would be helpful to disclose in the EIS what air pollution control measures are included in these specifications. Our concern is that they include a full suite of measures to minimize overall construction emissions and exposure for nearby residents and businesses as well as construction workers. Consider adding a measure to address preventative maintenance of construction equipment to further strengthen the standard specifications. For dust control, in order to avoid introducing additional toxic pollutants to soil, groundwater, surface water, and air, we recommend the use of water rather than chemicals or oil.

### *Recommendation:*

Include the above information and mitigation refinements in the Final EIS and Record of Decision.

### **U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements Definitions and Follow-Up Action\***

#### **Environmental Impact of the Action**

##### **LO – Lack of Objections**

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

##### **EC – Environmental Concerns**

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

##### **EO – Environmental Objections**

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

##### **EU – Environmentally Unsatisfactory**

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

#### **Adequacy of the Impact Statement**

##### **Category 1 – Adequate**

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

##### **Category 2 – Insufficient Information**

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

##### **Category 3 – Inadequate**

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
620 SW Main Street, Suite 201  
Portland, Oregon 97205-3026



9043.1  
IN REPLY REFER TO  
ER12/655

*Electronically Filed*

October 29, 2012

Anna Henson  
Environmental Project Manager  
Oregon Department of Transportation  
ODOT Region 3  
100 Antelope Road  
White City, Oregon 97503

Dear Ms. Henson:

The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (DEIS) for the Oregon 62: I-5 to Dutton Road Project. The Department offers the following comments for use in the development of the Final Environmental Impact Statement (FEIS).

**Comment** Historic Properties

**A3-01**

The Oregon Department of Transportation (ODOT) consulted with the Oregon State Historic Preservation Office (SHPO) regarding the effects of the proposed project on the historic David Cingcade House and Barn Complex, which is eligible for listing in the National Register of Historic Places (administered by the National Park Service (NPS), a component bureau of the Department). The SHPO concurred with the finding of no effect. In addition, the historic 1940s Camp White Hospital Complex was determined to be outside the planned project area. Therefore, we have no further concerns regarding known historic properties.

**Comment** Land and Water Conservation Fund

**A3-02**

Section 6(f)(3) of the Land and Water Conservation Fund (LWCF) Act states that "[n]o property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses." Secretarial approval has been delegated to the NPS; therefore, NPS approval is required before a conversion occurs. Conversions can occur due to impacts beyond the project's footprint. Should a conversion occur, replacement property of current fair market value and recreation utility and meeting other regulatory requirements, will be required.

**Comment**  
**A3-03**

Table ES-7 in the DEIS incorrectly indicates that 6(f) approval is needed from Jackson County and the City of Medford. As stated above, LWCF conversions must be approved by the NPS with prior approval from the Oregon Parks and Recreation Department (OPRD). There are two 6(f) conversions associated with this project and neither is correctly depicted. As a result, the conversion footprint and the associated acreage is underestimated throughout the report. Furthermore, because a replacement parcel has not been identified, only half of the NEPA process would be completed by this document. The Department recommends that this be addressed in the "major unresolved issues" section.

The 6(f) project boundary depicted in Figure 3.6-2 (included as Attachment 1, with notes) is not correct. The property was acquired under grant 41-00355, but not all of the acquired parcels have been depicted. We have included as Attachment 2 our as-acquired map. This map shows that the parcel to the west of 37-2W-13DA-100 was also acquired. In addition, because there is an unresolved conversion from ODOT's North Medford Interchange project, NPS has not approved a change to the 6(f) boundary that excludes the existing I-5 ramps. The DEIS does not depict the parcels protected under grant 41-01147. These parcels are identified in Attachment 3 with notes. The parcels in purple were existing public lands added to 6(f) and those in blue were acquired.

**Comment**  
**A3-04**

The DEIS indicates that the realignments of the Greenway Path are minor; however, it appears that under the preferred alternative, as depicted on figure 3.3-6, the pathway will be significantly closer to I-5 than before. The DEIS' discussion of the associated changes in the visual and sound experience for the hiker does not adequately address these changes, and there is no discussion of these impacts in the minimization/mitigation section. The Department recommends that renderings of what the before and after trail experience will be on the ground, particularly in parcel 37-2W-13DA-100 where the new on/off ramps will be built, be included in the FEIS, as these would inform a more thorough 6(f) analysis of the project.

The Department recommends that ODOT work with OPRD and the NPS Partnership Program in addressing these 6(f) concerns. Please contact:

Tim Wood - Director  
Oregon Parks and Recreation Department  
725 Summer Street NE, Suite C  
Salem, OR 97301  
Email: [tim.wood@state.or.us](mailto:tim.wood@state.or.us)  
(503) 986-0718  
Fax: (503) 986-0796

Heather Ramsay  
LWCF & UPARR Project Manager  
909 First Avenue  
Seattle, WA 98104  
(206) 220-4123

Thank you for the opportunity to review and comment on the DEIS. If you have any questions, please contact me at 503-326-2489.

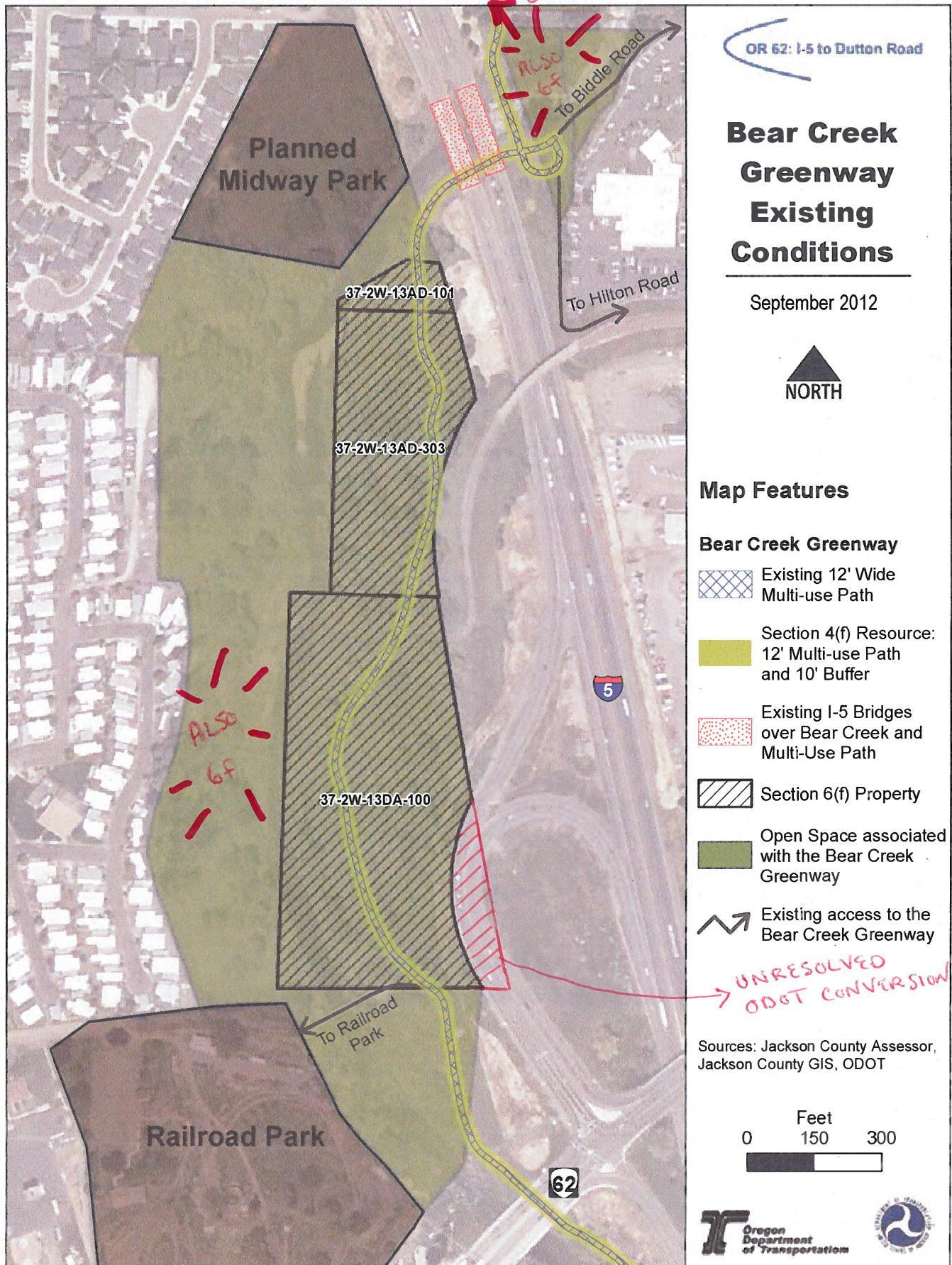
Sincerely,



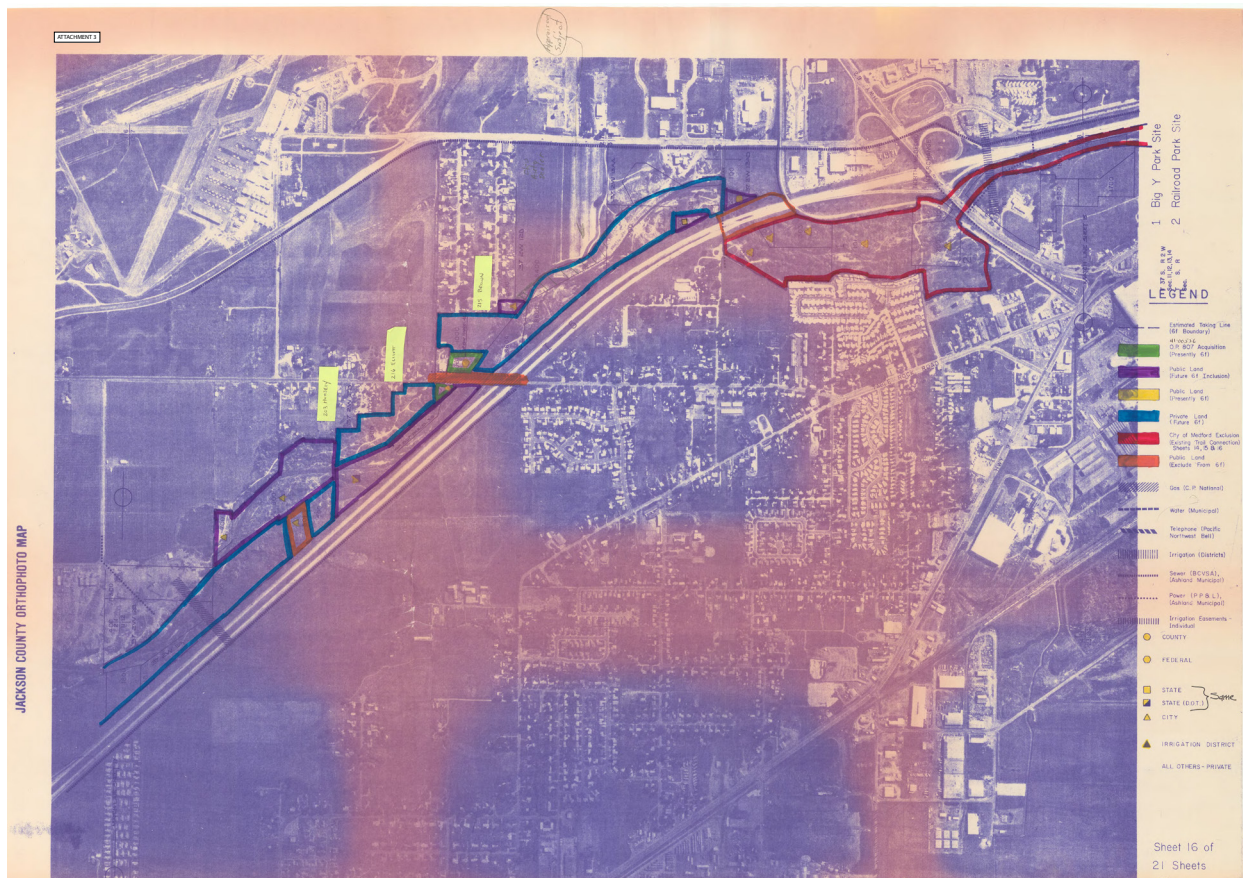
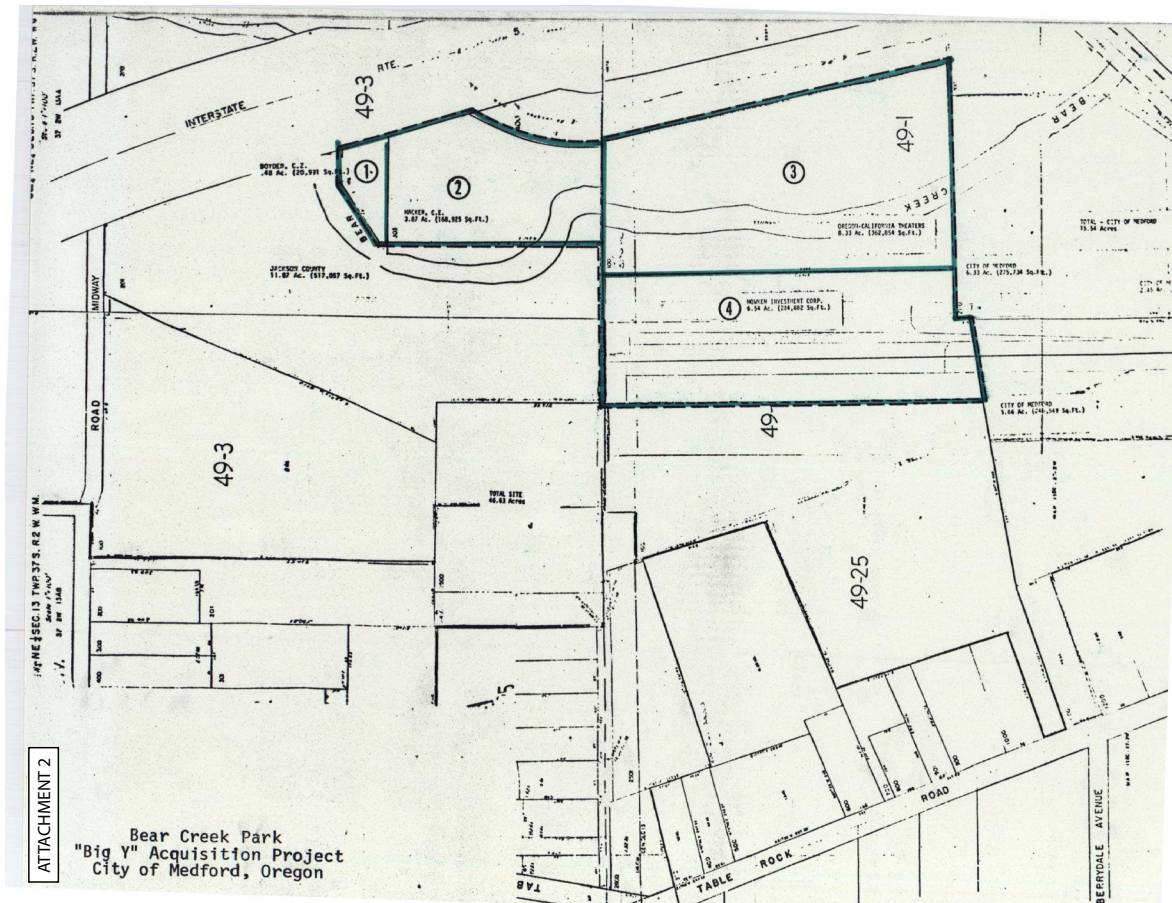
Allison O'Brien  
Regional Environmental Officer



Figure 3.6-2







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## Comments from Individuals

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**From:** Patrick Fitzgerald [pkfitzger@hotmail.com]

**Sent:** Monday, September 17, 2012 8:53 AM

**To:** HENSON Anna \* ODOT

**Subject:** Highway 62 "Bypass" project

Ms. Henson,

**Comment 11-01** As a registered voter living in Medford on Poplar Drive, I want to go on record as opposing spending one more dime on this stupendously wasteful, ill-conceived government "jobs" project. I will use every legal means within my power to stop it.

Signed,

Patrick Fitzgerald  
2101 Poplar Drive, Unit 12  
Medford, OR 97504

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**From:** Shirley Stanfield [mailto:shirleystanfield@charter.net]

**Sent:** Monday, September 17, 2012 3:48 PM

**To:** HENSON Anna \* ODOT

**Subject:** Highway 62 Bypass

Hi Anna,

**Comment 12-01** I understand that you are inviting comment on the Medco Haul Road section of the Highway 62 bypass, which I favor. I would, however, like to comment on the portion that is to come later; and hopefully in a timely enough fashion to have a voice. My husband and I attended a meeting regarding the extension that would end at Dutton Road and I am left wondering why that proposal deems it necessary to cut new roads in when Agate Road would seem an appropriate means of carrying traffic to Eagle Point, Shady Cove and points beyond with little additional impact to wetlands and riparian areas. There are already arterial roads in place to accommodate commuters wishing to exit at either of the aforementioned towns; and it would certainly make for a more pleasing driving experience for visitors to Crater Lake.

Sincerely,

Shirley Stanfield

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**From:** Brad Foster [mailto:bradfoster80@gmail.com]  
**Sent:** Monday, September 17, 2012 4:28 PM  
**To:** LEAMING Gary W  
**Subject:** Fwd: Hwy 62 Project

And...

**Comment** | with many people living in Central Point, I believe there's a reason to have exits on  
**I3-02** | Vilas Road. How hard is that if you are going to build a bridge going over that road?  
| The ramps will stay leveled with the highway as the bypass highway climbs toward  
| the overpass?

Brad

----- Forwarded message -----  
From: **Brad Foster** <[bradfoster80@gmail.com](mailto:bradfoster80@gmail.com)>  
Date: Mon, Sep 17, 2012 at 4:23 PM  
Subject: Hwy 62 Project  
To: [Gary.W.Leaming@odot.state.or.us](mailto:Gary.W.Leaming@odot.state.or.us)

Hi Gary,

**Comment** | I use the highway quite a bit and I have concerns about the design of the project.  
**I3-01** | Looking at the map, I am wondering why we can't merge Crater Lake Ave to Crater  
| Lake Highway (Business) as the "third lane" on the right side with right of way  
| entrance to businesses? If this is NOT a bypass, then why keep Crater Lake Hwy  
| and Crater Lake Ave separated?

Look at the map... where the highway bears left, that's where Crater lake Ave meets  
and I think there's no reason not to merge them together.

Brad Foster



---

**From:** Michael De Blasi [mailto:m5deblasi@yahoo.com]  
**Sent:** Monday, September 17, 2012 7:24 PM  
**To:** HENSON Anna \* ODOT  
**Subject:** Highway 62 Bypass

I am writing this email to have my comments regarding the Hwy 62 Bypass added to the public comments.

- Comment 14-01** The Bypass is an absolutely stupid idea and just goes to show how the political leaders and ODOT in southern Oregon are a group of people who have no concept of transportation and community health. The reason being brought up for why the Bypass needs to be built is because there is too much traffic on Hwy 62. But the reason why Hwy 62 was "upgraded" was to move more cars more efficiently. However, the geniuses in Medford, Jackson County and ODOT then decided to allow the highway to become lined with auto-dependent development. What could you all have possibly been thinking?
- Comment 14-02** Medford, which has become a pile of dung because of sprawl, was allowed to sprawl even more with big box stores and strip malls. This prevented the building of walkable development. If you think otherwise I challenge you to walk on that road to complete your daily trips for shopping, getting to work, etc. And transit isn't an option because the frequency is too low for such a sprawling environment. So now any traffic flow improvement that might have been achieved by the HWY 62 widening is completely lost.
- Comment 14-03** So now you geniuses want to create a bypass. Do you think that's going to do anything to ameliorate the traffic problems? NO WAY! All you will do is open up more land to sprawl, prevent the building of compact development, force more people into cars, add one more nail to Medford's coffin and be right back where you are now. Of course the people in southern Oregon in general, and the political and business leaders in particular, are so colossally stupid that they will fall for the con job you are trying to make. They'll cheer that ODOT has done something to improve traffic flow around Medford. The politicians will all line up for the photo op when groundbreaking begins. And the ODOT engineers can build another piece of crap highway.
- Comment 14-04** Having lived in southern Oregon I believe that it is more a part of California, an extension of the Sacramento Valley, than a part of Oregon. And as Jackson County becomes a bigger pile of crap as it becomes more dependent on the car, I hope we can get it to secede and join California. And they can take all of you ignorant ODOT employees.
- Comment 14-05** I have a few things I recommend that you read: the "Strong Towns" blog by Chuck Marohn, writings from the New Urbanists and the "Clusterfuck Nation" blog by James Howard Kunstler. They write more in depth about what I've tried to briefly explain here. If you take these writings to heart you might actually do something that will help southern Oregon. But I doubt it because ODT, despite what the new director says, is in the road building business.

Mike

---

**From:** Harold Pretorius [thpre@yahoo.com]  
**Sent:** Tuesday, September 18, 2012 12:41 PM  
**To:** HENSON Anna \* ODOT  
**Subject:** Hwy 62 bypass

**Comment 15-01** To Whom it may concern ; I work in Medford and live in Trail so I use Hwy 62 daily. I think a higher speed limited access bypass is a great idea. But "limited" is the key word here. Any bypass should have access to the Costco area and Vilas road. This allows people a choice when going to Costco or nearby business, thus reducing the traffic on the old Hwy. while still allowing the new road to be uncluttered by numerous stoplights. Nobody needs a "zipline" from Medford to White city! While I'm on my soapbox - why is the Owens Rd stop light so poorly designed that a vehicle can approach '62 from the east and make a right turn on '62 and trigger the stop for the whole of Hwy 62? I come in early and frequently the light is triggered by some one turning right and we all sit and watch an empty intersection --- this cannot be a great example of traffic control! Thanks for listening, Thomas Pretorius

**Comment 15-02**

**From:** chadmccomas@juno.com  
**Sent:** Tuesday, September 18, 2012 12:46 PM  
**To:** HENSON Anna \* ODOT  
**Subject:** Hwy 62 Bypass

Dear Anna:

**Comment 16-01** I was glad to get this email address to voice my feelings about the 62 Bypass.

I live very close to the bypass route. Just down Whittle on Alcan. Been here since 1991.

I can understand the need for another route to White City, Eagle Point and beyond. I've seen the traffic continue to increase over time and the danger of the increase. I don't doubt the need.

But, I have also seen the increase in the use of the old Medco road for recreation for our community. I've been walking it for almost 20 years, but in the last few the traffic has dramatically increased with people finding a wonderful place to get exercise, release tension, walk their dogs, enjoy time together, etc. I'd say that there are literally hundreds of folk who have used this road on an almost daily basis. Of course, ODOT has put up signs not to trespass, but I still see people using it every day. It is a wonderful place to come since it is flat and the views of the valley are truly amazing.

My hope, my request, is that with the bypass a walking, bike trail will be included along the airport as well. It will serve our community in two ways...traffic relief and stress relief for our community. Is that in the works?

Chad McComas  
(541) 951-6652



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**From:** Hank Snow [<mailto:HankS@rfpco.com>]  
**Sent:** Friday, October 12, 2012 8:13 AM  
**To:** HENSON Anna \* ODOT  
**Subject:** DEIS for OR62: I-5 to Dutton Road project

Anna Henson, Environmental Project Manager  
Oregon Department of Transportation  
ODOT Region 3  
100 Antelope Road  
White City, OR 97503  
541-774-6376

Dear Ms. Henson;

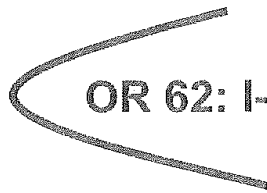
**Comment**  
**I7-01**

After carefully reviewing the DEIS for this project, I am supportive of the Departments favored option. I am an affected property owner and was a long time resident of Jackson County (1953-1997). I continue to own two parcels of property in the area; only one is affected by this project. I am encouraged that it appears that a solution (partial) to the valley's traffic congestion is moving forward. As a member of the old action committee for transportation in Medford, I have always thought that bypasses and belt-lines were the only way to efficiently move traffic from the interior corridors of the valley.

Congratulations on the progress and keep up the good work. I look forward to moving back to the valley in retirement.

Sincerely,

Hank Snow, VP – HR & Labor Relations  
Roseburg Forest Products



## OR 62: I-5 to Dutton Road

OR 62: I-5 to Dutton Road  
October 17, 2012  
Public Hearing / Open House

### COMMENT SHEET

Name Jeannette Logston Phone 541-560-3375  
Address 1445 Laurelhurst Rd. Email jnj logs @ aol.com

The purpose of the proposed project is to improve transportation mobility and safety in the OR 62 Corridor, to simplify transportation system connections, and to identify potential improvements for non-highway modes, while maintaining the regional economic role of the OR 62 Corridor.

ODOT appreciates any comments or questions you have on this project. Written comments will become public record.

1. Your comments regarding the OR 62: I-5 to Dutton Road Environmental Impact Statement and proposed project.

Comment  
18-01

With regards to terminating Bypass 62:  
I would like to see you combine the DI + the SD together. This would allow more traffic to and from this busy shopping area to use the bypass. I think this would be the best of both plans.

2. How would you rate the Public Hearing? (materials provided, staff responses to queries, etc.)  
(1 = poor, 2 = average, 3 = good, 4 = excellent). Why?

4 - great graphics, info + consultants.

---

### DEIS Public Hearing Oral Testimony: Roger Platt

9 MR. PRATT: My name is Roger Pratt. My address  
10 500 West Dutton Road.

Comment  
I9-01

11 I have a question on the, I know I'm not going  
12 to get an answer tonight, but here's the question. You  
13 show my property as a water tank and nothing else. And  
14 it's landlocked on the new proposal.

15 There's actually a 10,000 square foot building  
16 there, and the water tank was built by Coffin Weagle  
17 [phonetic] some years ago at the behest of the fire  
18 department. They had to have water for that whole area,  
19 so they put up a 14,000 gallon tank, which I now own. But  
20 I bought it from Willy Ellingsworth, that was Willy Boat  
21 Company's trailer shop. But now it, some way it doesn't  
22 show up as anything on there except the water tank. And  
23 it says that it will be landlocked. So, well, that's my  
24 comment. And I imagine I'll get an answer on it. Thank  
25 you.

### DEIS Public Hearing Oral Testimony: Brad Inman

3 MR. INMAN: My name is Brad Inman. My residence  
4 is 3514 South Village Drive in Medford.

Comment  
I10-01

5 And my question is, in asking the public to make  
6 informed decisions on these various alternatives,  
7 including the No Build possibility, don't we need to  
8 include in our deliberations and our thoughts the cost and  
9 the sources of funding for the various alternatives, along  
10 with the timeframe for the build-out of the project?  
11 Thank you.

---

### DEIS Public Hearing Oral Testimony: Kay Harrison

13 MS. HARRISON: Kay Harrison, 2359 Evan Way in  
14 Central Point.

**Comment**  
**I11-01**

15 My comments are, as far as the environmental  
16 impacts and the impacts to the residential dwellings in  
17 the area, if, if a private developer wanted to do this, it  
18 would be cost prohibitive and he would never get the  
19 environmental right out to be able to make the changes  
20 that are needed for this.

**Comment**  
**I11-02**

21 The cost for the individuals that have been  
22 living on this property for a long time, like the  
23 gentleman before me, what are those costs and how does  
24 that roll into it? I know they will probably be given the  
25 correct amount of money for the assessment of the  
1 property, but it doesn't talk to how long they have been  
2 there, the family background, and all of those things that  
3 are never considered.

**Comment**  
**I11-03**

4 When you're looking at the vernal pools, what  
5 are you going to do, mitigate those? Again, if a private  
6 developer wanted to do that, it would be really hard for  
7 them to do that. So you're taking away EFU land and  
8 forest land that would be prohibitive if it was private.  
9 Because it's a public thing, you're being allowed to do  
10 it. Thank you.

---

**From:** Young, David <DYoung@usbnc.org>  
**Sent:** Sunday, October 21, 2012 10:02 PM  
**To:** HENSON Anna \* ODOT  
**Cc:** kcgutches@hotmail.com; cstevens@mind.net  
**Subject:** Questions on DEIS HiWy 62 Bypass

Dear Anna Henson,

I had submitted the questions below to you on June 8, 2011 and now request again that they be answered in response to public comments on the Highway 62 Bypass DEIS and further request that the DEIS be modified to include consideration of the issues I raise again.

Do I need to take any other action to insure that my questions will be addressed before the Highway 62 Bypass proposal is submitted to other governmental authority as I feel the current DEIS is deficient in not responding to these vital considerations I have raised during the CAC/PDT meetings as well as to you previously on the environmental impact of proposed options A and B versus the much more favorable option of C which would have much less wetlands impact than A or B when the issues I raise are fully considered and which are not now addressed in the current DEIS?

I have added “and the DEIS” to all instances of the use of PSEM in my original email to you of June 8, 2011 below in order to make my questions originally submitted to you on June 8, 2011 and which are now resubmitted as directly relevant to the DEIS and the public comment time period for asking such questions. I now request that the DEIS be modified to address the considerations in my email to you of June 8, 2011 that I now raise again to you.

Sincerely,

David F. Young MD

---

**From:** Young, David  
**Sent:** Wednesday, June 08, 2011 12:19 AM  
**To:** pfoley@rvcog.org  
**Cc:** Clark Stevens; rachorjv@jacksoncounty.org; skundrdw@jacksoncounty.org; Dennis Smith; LEEVER Dick B; anna.henson@odot.state.or.us  
**Subject:** Remaining Issues Location of Hiwy 62 Bypass

Dear Pat Foley,

Would you kindly forward to the Hiwy 62 Bypass CAC/PDT Members and ODOT Representatives my issue questions attached as I was asked to put them into writing at the May 25<sup>th</sup>, 2011 meeting by both Members and Representatives for their consideration and reply.

I would request these issue questions be included with the record of the proceedings and be included with the public comment on the Draft Environmental Impact Study.

Thanks in advance for your assistance.

Regards,



To All Those Concerned with Evaluating Options for the Location of the Hiwy 62 Bypass:

The following **GOAL 2 and GOAL 4** issues greatly favoring the choice of Option C (Haul Road) over Options A or B for the northern route locations of the Hiwy 62 Bypass were raised as questions during ODOT's "Preliminary Summary of Evaluation Measures" presentation that were not able to be answered during the CAC Meeting May 25, 2011. I believe these issues are critically important as did others present, and I was therefore asked to submit my questions in writing by members of the CAC and ODOT representatives during and after the Meeting which I now do in the following:

1). **GOAL 2: ("Indirect") CUMULATIVE SEVERE IMPACTS to WETLANDS and ESPECIALLY to HIGH, MEDIUM, and LOW VALUE VERNAL POOL RESULTING from EITHER OPTIONS A OR B that would not accrue with OPTION C:**

**Comment 112-01** **QUESTION:** Why does the "Preliminary Summary of Evaluation Measures" (PSEM) and the DEIS not reflect the total cumulative destruction to all wetlands and especially to the High Value Vernal Pool complexes that are in pristine, undisturbed condition that would ensue from the new construction of either Option (A) or Option (B) that would not occur with Option (C)? Either (A) or (B) road bed construction would newly dam water drainage currently feeding High, Medium, and Low Value Vernal Pools as well as other wetlands leading to eventual large-scale destruction after this new road bed construction. All vernal pools would become impounded between two dam structures to water flow, that is the already existing Haul Road and either of the newly created (A) or (B) road beds, blocking the future, sustaining water drainage to the pools and other existing wetlands. Yet the PSEM and the DEIS nowhere reflects these difference in the long term cumulative damage in its assessment of "indirect" damage, to both vernal pool and general wetland destruction. Further, Gregory Road is to be constructed in all three option scenarios and will parallel Options (A), (B), or (C) adding to the north-south impoundment, "damming" effect to the water supplying wetlands but would have much less cumulative effects with Option (C) Haul Road versus either (A) or (B) as Gregory Road would run almost adjacent and lie in the same corridor as the Haul Road for most of its course thereby acting as one shared dam complex with the already existing Haul Road rather than adding an additional completely separate dam complex as with Options (A) or (B).

**Comment 112-02** Instead, the PSEM (p.3 & 4) and the DEIS indicates that the "indirect destruction" of "high quality", "medium quality", and "low quality" "vernal pool habitat" would be equal for (A), (B), and the Haul Road Option (C).

**Comment 112-03** Of course, all manner of vernal pool habitat and all the rest of the impounded wetlands would all eventually be similarly highly impacted if not largely destroyed by the same dam-like effect of water flow starvation by the construction of a solid road bed north-south than would cut off most, if not nearly all, the existing pattern of water drainage from east to west. This effect can be seen in the already existing relative loss of wetlands below (i.e. west of) the already constructed Option (C) Haul Road demonstrating what would happen to wetlands newly impounded below (i.e. west of) the newly constructed Options (A) or (B).

**Comment 112-04** In effect, all the high, medium, or low vernal pools as well as other wetlands lying between the already existing road bed of Option C (Haul Road) and the newly constructed road beds of either (A) or (B) would be strangled for water flow and virtually destroyed over time; yet, somehow, the PSEM and the DEIS shows exactly the same or at most (.1) Acre differences for Options (A) and (B) versus Option (C) Haul Road in "indirect effects" on vernal pool wetlands.

2). **GOAL 2: GREATLY INCREASED RIPARIAN DAMAGE FROM EITHER (A) OR (B) that Would Not Accrue with Option (C):**

**Comment 112-05** **QUESTION:** Why does the PSEM and the DEIS show only slightly less total riparian damage for Option (C) (Haul Road) versus (A) or (B) when the existing Option (C) Haul Road is not new impact (already constructed and already existing) and crosses both the Swanson and Whetstone streams at existing narrow stream width crossings yet either (A) or (B) would be new construction and therefore newly created damage and would cross both Swanson and Whetstone streams at site crossings of much larger, less well defined stream pathways and would entail relatively much greater construction and fill damage and therefore new and much greater riparian damage to these streams than already exist with Option (C) Haul Road?

**Comment 112-06** How is it that new construction involving large amounts of fill and stream bed disruption over the much wider, less well defined marsh drainage of Whetstone Creek does not show in the PSEM and the DEIS estimates which therefore do not reflect the much, much higher riparian damage impact acreages versus the not new, already existing riparian impact of the much shorter existing crossing of Whetstone Creek by Option (C), the Haul Road?

**Comment I12-07** 3). **GOAL 4: INCREASED TRAFFIC DEATHS and INJURIES OF DOUBLE BEND, "S" CURVE, FROM EITHER (A) or (B) DESIGN but not Option (C):**  
**QUESTION:** Either Options (A) or (B) designs would result in double bend curves, an "S" curve, that would result in higher traffic accidents than the gentle, sweeping single curve of Option (C) Haul Road; why is it the PSEM and the DEIS silent and does not address this issue under Goal 4, SAFETY, (p. 7)?

**Comment I12-08** 4). **GOAL 2: THE TEMPORARY DESIGN FOR OPTION (C) HAUL ROAD SHOWS VIRTUALLY NO NEW IMPACT ON VERNAL POOLS relative to EXTENSIVE VERNAL POOL IMPACT of (A) or (B) DESIGNS CROSSING WILSON PROPERTY:**  
**QUESTION:** In the temporary design for Option (C) Haul Road, seen in slide 19 of ODOT's report for 5/25/11 and in the DEIS, there is almost no new impact on the high, medium, and low value vernal pools and other wetlands that would be severely disrupted by both designs (A) and (B) comprising many acres of impact on the western portion of the Steve Wilson property; therefore, why is this severe impact of (A) and (B) relative to minimal (C) impact not reflected anywhere in the PSEM and the DEIS as the temporary damage differences between the three options is much, much less damage to no damage in the (C) Option of the Haul Road compared to extensive damage of either design Options (A) or (B)?

**Comment I12-09** In that the eventual design of Option C in phase three, the final build out, to occur somewhere well into the future, is now not known for certain, and the "temporary" design for Option (C) Haul Road clearly has very little impact versus (A) or (B) construction, both of which would have many acres of the highest, medium, and low value vernal pools destroyed on the western portion of the Steve Wilson property, why is this not reflected in the PSEM and the DEIS? There may be other design options for the eventual phase 3 build out to the Hwy 62 bypass through White City that would never impact the high value pools currently spared by Option C but definitely destroyed forever by either (A) or (B).

Respectfully Submitted,  
David F. Young MD

**From:** rita pierce [<mailto:rita.wc.or@charter.net>]  
**Sent:** Monday, October 22, 2012 10:54 AM  
**To:** HENSON Anna \* ODOT  
**Subject:** OR 62:1-5 to Dutton Road comments

**Comment I13-01** I have lived in the northern end of the Rogue Valley all of my 63 years and traveled Hwy 62 to visit family, friends, shop and work in the Southern part of the Rogue valley. Being a commuter of the busiest road in the area I have seen it transform from a two lane cement roadway to a four + lane paved road. My main route onto #62 is from Antelope Road to areas in Medford and I have noticed where cars enter and exit the highway. The traffic rolls along steadily until the area starting at Owen Drive, much worse at the Delta Waters traffic light and no less congestion until past the intersection by the Rogue Valley Mall.

I went to the meeting on October 17th with an open mind to see how the new proposed bypass road would solve the problem of traffic on the existing road. My concerns are how the new road will connect to the existing highway and will it serve the majority of commuters to ease the congestion. My thoughts are that the proposed expressway would only serve vehicles traveling from Eagle Point north to the I-5 freeway and no one else. The majority of vehicles that enter and exit the highway are in between Eagle Point and I-5 so the expressway would not solve the congestion of Hwy 62.

**Comment I13-02** I would like to see the proposed expressway built but used as an arterial road with more entrance/exits to other roads especially around Costco/Sportsman Warehouse and traffic signals at Vilas Road - not an overpass. I like the way it connects to Hwy 62 at Bullock Road and Gregory/ Agate but there should be a way to enter and exit both directions onto the existing highway. I would also like to have more traffic lanes on the existing Hwy 62 from Rogue Valley Mall area until past Lithia Motors with more overhead lane signs stating what lane to get in well before needed to make travel smoother.

Thank you for the opportunity to voice my opinion.  
Lorieta F. Pierce  
2708 Ingalls Dr.  
White City, OR 97503  
[rita.wc.or@charter.net](mailto:rita.wc.or@charter.net)

## OR 62: I-5 to Dutton Road

OR 62: I-5 to Dutton Road  
October 17, 2012  
Public Hearing / Open House

Received

OCT 22 2012

ODOT  
District 8

### COMMENT SHEET

Name TERRY RICKETTS Phone 972-849-8045  
Address 2101 POPLAR DR. #19 Email TERRY\_RICKETTS@SIL.ORG  
MEOFORD 97504

The purpose of the proposed project is to improve transportation mobility and safety in the OR 62 Corridor, to simplify transportation system connections, and to identify potential improvements for non-highway modes, while maintaining the regional economic role of the OR 62 Corridor.

ODOT appreciates any comments or questions you have on this project. Written comments will become public record.

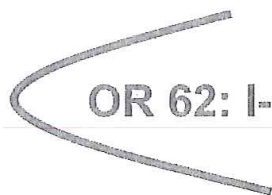
1. Your comments regarding the OR 62: I-5 to Dutton Road Environmental Impact Statement and proposed project.

Comment  
I14-01

I APPRECIATE THE CAREFULNESS YOU HAVE FOLLOWED IN COMING TO THIS PROPOSAL. BUILDING THE ROAD THROUGH MOSTLY VACANT FARMLAND LESSENS THE IMPACT ON HOMES & BUSINESSES, BOTH IN LAND ACQUISITION & DURING BUILDING. THIS HAS BEEN NEEDED FOR A LONG TIME, & I LOOK FORWARD TO ITS COMPLETION, ESPECIALLY SINCE WE WILL BE MOVING TO EAGLE POINT!

2. How would you rate the Public Hearing? (materials provided, staff responses to queries, etc.) (1 = poor, 2 = average, 3 = good, 4 = excellent). Why?

4 FRIENDLY STAFF WITH GOOD ANSWERS



## OR 62: I-5 to Dutton Road

OR 62: I-5 to Dutton Road  
October 17, 2012  
Public Hearing / Open House

### COMMENT SHEET

Name Carol Palmer Phone \_\_\_\_\_  
Address 1817 Inglewood Dr Email \_\_\_\_\_  
Medford OR 97504

The purpose of the proposed project is to improve transportation mobility and safety in the OR 62 Corridor, to simplify transportation system connections, and to identify potential improvements for non-highway modes, while maintaining the regional economic role of the OR 62 Corridor.

ODOT appreciates any comments or questions you have on this project. Written comments will become public record.

1. Your comments regarding the OR 62: I-5 to Dutton Road Environmental Impact Statement and proposed project.

Comment  
I15-01

I am very concerned about the impact on the birds that inhabit, or spend portions of the year at Denman wildlife Area and surrounding locale.

Received  
OCT 24 2012  
ODOT  
District 8

For further information on this project, please contact:

Anna Henson, Environmental Project Manager  
Phone: (541) 774-6376  
Email [Anna.Henson@odot.state.or.us](mailto:Anna.Henson@odot.state.or.us)

Oregon Department of Transportation  
100 Antelope Road  
White City, OR 97503

## OR 62: I-5 to Dutton Road

### OR 62: I-5 to Dutton Road October 17, 2012 Public Hearing / Open House

#### COMMENT SHEET

Name Deborah Wallace Phone 541-664-2185  
Address 6858 Truax Rd, Central Point, Ore Email NO Email  
97502-8402

The purpose of the proposed project is to improve transportation mobility and safety in the OR 62 Corridor, to simplify transportation system connections, and to identify potential improvements for non-highway modes, while maintaining the regional economic role of the OR 62 Corridor.

ODOT appreciates any comments or questions you have on this project. Written comments will become public record.

1. Your comments regarding the OR 62: I-5 to Dutton Road Environmental Impact Statement and proposed project.

Comment  
I16-01

*Our roads here are just fine; it's the "bad drivers" that need improving either thru heavy fines or license suspension. More roads + OR 62: I-5 to Dutton Rd will not make our road situation better until*

Comment  
I16-02

*drivers behave better. Please make OR 62: I-5 to <sup>Dutton</sup> Road a toll road; if it is built. No matter which*

Comment  
I16-03

*plan is constructed the result is going to be a bigger "mess" than we have now at Peak times*



Comment  
I16-03 Ctd.

I would rather have more traffic patrols;  
maintain the roads we already have;  
expanded mass transit with park & ride lots;  
a bigger jail for traffic offenders;  
large truck deliveries in very early am).  
I worked the night shift in one of our medford hospitals  
for 22 yrs; what a great dream drive to & from  
work! To connect from Eagle Point to I-5  
I use Kirtland Rd & its good too unless there  
are too many "Bad drivers".

Comment  
I16-04

Also; pedestrians & Bike riders need to behave  
better. Staying alive and getting where we all  
want to go requires consideration for each other  
and following our existing laws.  
Thanks a lot. Keep up the good work

2. How would you rate the Public Hearing? (materials provided, staff responses to queries, etc.)  
(1 = poor, 2 = average, 3 = good, 4 = excellent). Why?

4; everyone of you folks gave a good  
presentation. Thank You Good Teamwork!

## OR 62: I-5 to Dutton Road

OR 62: I-5 to Dutton Road  
October 17, 2012  
Public Hearing / Open House

### COMMENT SHEET

Name Sullivan and Shipley LLC Phone 541-734-5845  
Lisa Shipley  
Address 3063 Springbrook Email \_\_\_\_\_

The purpose of the proposed project is to improve transportation mobility and safety in the OR 62 Corridor, to simplify transportation system connections, and to identify potential improvements for non-highway modes, while maintaining the regional economic role of the OR 62 Corridor.

ODOT appreciates any comments or questions you have on this project. Written comments will become public record.

1. Your comments regarding the OR 62: I-5 to Dutton Road Environmental Impact Statement and proposed project.

Comment  
B1-01

To Whom it may Concern  
We would prefer the SD Plan over the D.I. Plan  
We would like to see the small business NE  
of Poplar to stay in business for their families  
future please consider this when you come to  
your final conclusion. These business need access  
to Hwy 62 to stay a vital business

Sincerely Lisa Shipley

For further information on this project, please contact:

Anna Henson, Environmental Project Manager  
Phone: (541) 774-6376  
Email [Anna.Henson@odot.state.or.us](mailto:Anna.Henson@odot.state.or.us)

Michael Sullivan  
Oregon Department of Transportation  
100 Antelope Road  
White City, OR 97503

## OR 62: I-5 to Dutton Road

### OR 62: I-5 to Dutton Road October 17, 2012 Public Hearing / Open House

#### COMMENT SHEET

Name CASEY JONES Phone 541-770-6861  
TEC Equipment, Inc  
Address 1110 East Vilas Rd Email CJONES@TECTRUCKS.COM  
Medford, OR 97502

The purpose of the proposed project is to improve transportation mobility and safety in the OR 62 Corridor, to simplify transportation system connections, and to identify potential improvements for non-highway modes, while maintaining the regional economic role of the OR 62 Corridor.

ODOT appreciates any comments or questions you have on this project. Written comments will become public record.

Comment  
B2-01

1. Your comments regarding the OR 62: I-5 to Dutton Road Environmental Impact Statement and proposed project.

Need exit at East Vilas to minimize traffic congestion  
on Hwy 62.

2. How would you rate the Public Hearing? (materials provided, staff responses to queries, etc.)  
(1 = poor, 2 = average, 3 = good, 4 = excellent). Why?

Very good detail & descriptions of phases of project.



October 17, 2012

To whom it may concern;

**Comment B3-01** I have been advised that the environmental impact phase includes not only issues relating to environmental impact but also general concerns from those impacted by the proposed bypass.

As the owner of the building located on the northeast corner of Vilas Road and Industry Drive our concerns relating to the proposed bypass include, but are not limited to the following:

1. Loss of economic value of property relating to the creation of a cul-de-sac whereby said corner property, with direct access to Vilas Road, would terminate. As it relates to 4900 Industry Drive, this proposal would greatly affect the value particularly when considering one of the most important indicators of property value; Location, Location, Location .

**Comment B3-02** 2. Loss of part of the property containing the bulk of parking allocated for my tenants' units.

**Comment B3-03** 3. Loss of rentable space and the demolition of said space to accommodate the loss of parking.

**Comment B3-04** 4. Loss of property value relating to the reduction of rentable space and the subsequent rental income.

**Comment B3-05** In addition, as of this moment, based on information included on the OR 62: I-5 to Dutton Road CD, I still do not understand the ingress / egress replacement proposal. In other words, what road does Enterprise Dr. connect to?

Thank you for your attention to our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Farrer', written over a horizontal line.

Brian R. Farrer  
Managing Director

Received

OCT 22 2012

ODOT  
District 8

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**Montero & Associates, LLC**  
Consultants in Urban Planning & Development

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4497 Brownridge Terrace, Suite 105 • Medford, Oregon 97504  
Telephone (541) 779-0771 • Cell (541) 944-4376 • E-mail: [mike@montero-associates.com](mailto:mike@montero-associates.com)

Mrs. Anna Henson  
Oregon Department of Transportation  
100 Antelope Rd.  
White City, Oregon 97502

October 22, 2012

**RE: OR62: I-5 to Dutton Rd. Public Hearing**

Dear Mrs. Henson,

**Comment B4-01** This firm represents the Lakewood Center Group located in White City, Oregon. Lakewood Center is located at the Southeast corner of the intersection of OR 140 and OR62.

Section 3.3.4 of the OR62: I-5 to Dutton Rd. Draft Environmental Impact Analysis provides that the proposed plan seeks to avoid and minimize adverse impact, where possible, to existing businesses. While the OR62: I-5 to Dutton Rd. project poses no direct impact to Lakewood Center right of way, Lakewood Center wants to be of record that future traffic could produce adverse impacts to the sustainability of the regional commercial center which serves the residents of the greater White City area.

**Comment B4-02** The Lakewood Center owners have for many years cooperated with ODOT to ease OR62 traffic access issues in the vicinity of the Center. In 2008 Lakewood Center partners entered into an agreement<sup>1</sup> with ODOT to refine the center's access to Highway 62 to improve public safety and relieve congestion. An element of this agreement provides for full movement access onto Oregon Highway 140. This access is critical for the viability of this regional retail facility.

Under current conditions, the OR 140 access to the Lakewood Center's performs satisfactorily. However, OR 140 and 62 traffic is projected to increase in future years. As OR140 trips increase, future left turn movements from the Lakewood Center onto OR 140 could become occluded by queues backing up on OR 140 waiting for green time to turn left onto southbound OR62. Should this condition develop the function of this critical access provided for in the agreement with ODOT, referred to herein, could become compromised.

During the Highway 140 Corridor Planning process, a future mitigation concept; a westbound OR140 double left turn lane configuration for left turn movements to accommodate southbound OR62 trips was discussed. A funded OR140/OR62 STIP project (Key # 17471) is planned for construction in the next few years. It is our present understanding that sufficient right of way exists for construction of such a configuration.

On behalf of our client Lakewood Center, we respectfully request that this proposed configuration be considered when evaluating the planned improvements to the intersection of OR140 and OR62 to protect the center's critical access.

Respectfully submitted,

Montero & Associates, LLC



Michael A. Montero, Principal

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<sup>1</sup> See ODOT File # 6023028



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**From:** markoregonhomes@gmail.com on behalf of Mark Dewey [markdewey@5412923331.com]  
**Sent:** Monday, October 29, 2012 2:43 PM  
**To:** HENSON Anna \* ODOT  
**Subject:** OR 62: I5 to Dutton Road  
Regarding the Road improvements for HWY 62 By pass:

**Comment  
B5-01**

My wife and I are part owners of the building located at 2584 Bullock Rd Medford OR 97504 - The proposed Road will highly impact our business. We run and manage the commercial property. The property has a 5760 Square foot building on it that is leased to two separate companies and there is a 52 mini storage facility in the back of the property. This income is our parents retirement income money as well as our future income and will have an impact on our ability to have a business.

Mark and Brenda Dewey

**Mark Dewey "The Real Estate Guy"**  
Broker @ Re/Max Ideal Brokers, Inc.

Web Site: [www.5412923331.com](http://www.5412923331.com)

**PH: 541-292-3331 FX: 541-245-1569**

Licensed in the State of Oregon  
3539 Heathrow Way, #200  
Medford, OR 97504

**From:** Brenda Dewey [brenda3star@gmail.com]  
**Sent:** Monday, October 29, 2012 2:59 PM  
**To:** HENSON Anna \* ODOT  
**Subject:** OR 62: I5 to Dutton Road Project  
To Anna Henson and whom it may concern:

**Comment  
B6-01**

I run the mini storage facility located at 2584 Bullock Rd Medford OR 97504 and help manage the commercial building with my husband. This is part my future property and my parents own it outright. We ran a successful sheet metal company from this property for many years. The building is Leased out to a delivery service and an Auto body repair shop. We have a good income from this and the funds we receive are my parents retirement money as well as an income for me and my husband who manage the mini storage's. This road improvements will defiantly impact our property. Our immediate concern is the traffic flow to our mini storage's will be easy to access from Bullock Rd. and In the future if the by pass off I5 goes through it will completely take the property away from our family and impact our ability to have a business and income for our future.

Regards,  
Brenda Dewey

**From:** Bill Sue Beck [billsuebeck@gmail.com]  
**Sent:** Monday, October 29, 2012 4:53 PM  
**To:** HENSON Anna \* ODOT  
**Subject:** OR 62: I5 to Dutton RD Issue

**Comment  
B7-01**

We own 2584 Bullock RD and the proposed road will effect our business. The building and Mini storage is our livelihoods and our retirement money for all of our life's work. We are very concerned about the impact this road will have on our currant traffic and our future.

Bill and Sue Beck  
2235 Jet Dr  
Medford OR 97501

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## Comments from Organizations

### Comment on the Oregon 62: I-5 to Dutton Road Project

submitted on behalf of the Rogue Valley Audubon Society

**Comment**  
**01-01**

The Rogue Valley Audubon Society (RVAS) is a chapter of the National Audubon Society with over 600 members in Jackson County. Our mission is to be a voice for education and conservation in the natural world. Our members are active birders, naturalists, hikers, and photographers, and we are devoted to the protection of wildlife habitat in our region. We have a particular interest in the Denman Wildlife Area, where RVAS conducts monthly field trips, and which is heavily visited by our members, since the area includes some of the most intact wildlife habitat in the vicinity of Medford.

As all Medford residents know, traffic congestion on Hwy 62 between I-5 and the VA Dom is a chronic problem. This is an entirely predictable consequence of all the “big-box” development that has been permitted along that stretch. Various solutions have been under discussion for years, and now ODOT has come up with a detailed proposal for public comment. The cost of the total project is projected to approach \$500 million. That’s right, half a *billion* dollars.

There are many issues that could be discussed with relation to this project in relation to sprawl, inadequate urban planning, skewed budgetary priorities, excessive dependence on automobiles, etc. However, these comments are limited to the single impact of most direct concern to members of the Rogue Valley Audubon Society: how the project could affect the Denman Wildlife Area.

The northern portion of the proposed bypass would take the route of Agate Road along the edge of Denman. In the words of the ODOT draft environmental impact statement (DEIS), “the bypass would follow the Agate Road right of way along the east side of the Denman Wildlife Area and into White City, displacing Agate Road between Gregory Road and Avenue G. North of the Denman Wildlife Area, the bypass would ascend onto a fill slope and cross over Antelope Road and Avenue G on overpasses. North of Avenue G, the bypass would be located on a structure ... After crossing Avenue H, the bypass would curve east, return to ground level, follow the Dutton Road right of way, and terminate in an interchange with existing OR 62... Dutton Road would be realigned and run parallel to the bypass” (DEIS, p. ES-29).

The most direct impact would be the relocation of the existing parking area and hunters check station at the ponds along Agate Road: “Although neither alternative would require any land in the Denman Wildlife Area for roadway use, the displacement of Agate Road would require closing an existing Denman parking lot on the west side of Agate Road. To mitigate for this parking lot closure, ODOT would build a new parking lot off of 11th Street and provide directional signage to guide visitors to the new parking lot. ODOT would also restore the site of the existing parking lot for wildlife habitat. There would be no net loss of habitat and the new parking lot would provide similar access to the ponds and hunting areas in the eastern portion of the Denman Wildlife Area.” (DEIS, p. ES-48).

The bypass, with its associated heavy traffic, would run along the east border of the Hall Tract, and swing to the right just before the gated access point to the Military Slough Tract at Touvelle

**Comment 01-01 Ctd.** Road. In the words of the DEIS, “The project footprint, at its closest, comes within approximately 90 feet of the southeastern corner of the Military Slough Tract but the project footprint would not directly impact the Military Slough tract”. (DEIS, p. 3-159). Having stated that Military Slough would not be impacted, ODOT does not discuss this area further. However, ODOT estimates that average traffic on the bypass segment north of Agate Road will be over 20,000 vehicles per day by 2015 (DEIS, Table 3.1-4).

ODOT considers that all the impacts to Denman will be *de minimis*. “*De minimis* impacts on publicly owned parks, recreation areas, and wildlife refuges are defined as those that do not “adversely affect the activities, features and attributes” of the resource.” (DEIS, p. 3-170).

It is hard to accept the flat assertion that 20,000 vehicles per day – with their noise, emissions, and lights at night – passing along the edge of the Hall Tract and less than 100 feet from the Military Slough Tract would have no impact on Denman and its value as wildlife habitat.

**Comment 01-02** Finally, it must be noted that the bypass will terminate on a realigned Dutton Road, which the project maps show as cutting immediately adjacent to Dutton Pond. Although Dutton Pond is not part of Denman, RVAS birders know it as excellent habitat for aquatic and marsh birds, and this would almost certainly be degraded by this project.

**Comment 01-03** Several of the birds using the Hall and Military Slough Tracts are shy species known to have low tolerance for noise and disturbance, including American Bitterns and Virginia and Sora Rails. The extensive marshes at Denman – required for the nesting of these species – are the last surviving remnant of this habitat in the valley, as the rest has all been eliminated by development. Simply because the proposed Hwy 62 bypass will not pave under these marshes does not mean that the impact of this project will not be insignificant. The value of this habitat to wildlife is likely to be heavily degraded by the Hwy 62 bypass.

**Comment 01-04** We request that the final EIS include a much more detailed analysis of the impact of disturbance, noise, and pollution on the wildlife habitat values the Hall and Military Slough Tracts, and include specific mitigation strategies. Based on the very limited consideration of these issues in the DEIS, a *de minimus* conclusion regarding these impacts cannot be justified.

Respectfully submitted,

Pepper Trail, Conservation Co-Chair  
Robert Mumby, Conservation Co-Chair  
William Hering, President